

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

REMARKS – General

The applicant has made a voluntary amendment to the specification for minor editorial corrections.

The applicant has made a voluntary amendment to a drawing sheet as indicated for minor editorial corrections to Fig. 11.

Claims 1 to 10 are canceled and replaced with new claims to define the claims more distinctly so as to overcome the technical objections and rejections.

The applicant has added 3 new claims. The new claims contain no new matter, and the recited elements are derived from the applicant's specification.

The O.A. Objection of the Abstract

The Office Action objects to the abstract and states "The abstract of the disclosure is objected to because it should be only one paragraph and not contain numbers. Correction is required. See MPEP § 608.01(b)."

The applicant agrees with the objection to the abstract. The abstract is rewritten so that it is now one paragraph, and contains no numbers, as indicated in the above "SPECIFICATION:" section. Minor editorial corrections were made voluntarily to the abstract.

One sentence is deleted so that the abstract is no more than 150 words to comply with MPEP § 608.01(b).

The words "edictionary" and "edictionaries" are deleted 5 times as terms from the title of the application cannot be used in the abstract to comply with MPEP § 608.01(b). The terms are replaced by the words "digital spaces", which are derived from the applicant's specification.

The applicant thanks the Examiner for stating the one paragraph and no numbers requirements for the abstract.

The corrections put the abstract in proper form in accordance with the O.A.

The Rejections of Claims 1 to 10 Overcome Under § 112

The O.A. states "Claims 1-10 are rejected under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. There is no antecedent basis for: "said computer" on line 3,

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

“computer’s screen” on lines 4 and 5, “said dictionary elements and other relevant elements for said word” on line 6, “said cursor” and “said text” on line 7.

Elements from the preamble cannot be used to define terms.

“A means for” is unclear. Is this a system or method claim?

Claims 1-10 do not have a period.

Claims 2-10 are not in a correct dependent form. They should read “The method of claim 1, wherein.....”

“Edictionary” is not a common term of art and should be defined or called online dictionary. “Et cetra” is not proper claim terminology.

In claim 7, it is unclear what is meant by “said dictionary elements and said images or moving images elements are to be used judiciously and not always all at once”.

Lines 3-5 of Claim 1:

The applicant agrees with the O.A. regarding lines 3-5 of claim 1 and has made the following corrections:

On line 3, since “computer” appears for the first time, line 3 is rewritten by deleting “said computer” and replacing it with the proper antecedent “a computer”.

On line 4, since “computer’s screen” appears for the first time, line 4 is rewritten by deleting “the computer’s screen” and replacing it with the proper antecedent “a computer’s screen”.

On line 5 since “computer’s screen” appears for the second time, line 5 is rewritten by deleting “the computer’s screen” and replacing it with the proper antecedent “said computer’s screen”.

Line 6 of Claim 1:

The applicant agrees with the O.A. regarding line 6 of claim 1 and has made the following correction.

On line 6 the phrase “said dictionary elements and other relevant elements” appear for the first time. The improper antecedent “said” is replaced with the proper antecedent “the” in the following phrase “the dictionary elements and other relevant elements”.

Line 7 of Claim 1:

The applicant disagrees with the O.A. regarding line 7 of claim 1.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

On line 7, the words “said cursor” do have the proper antecedent basis. The definite article “said” has the proper following part, which in this claim is previously recited in exactly the following words: “a cursor” from line 5.

On line 7, the words “said text” do have the proper antecedent basis. The definite article “said” has the proper following part, which in this claim is previously recited in exactly the following word: “text” from line 4.

Elements from the Preamble of Claim 1:

As mentioned the O.A. states “Elements from the preamble cannot be used to define terms.”

The applicant agrees with the O.A. on this statement.

The claims are rewritten so that the claims do not recite the elements from the preamble of claim

1. The applicant thanks the Examiner for pointing out this obscure rule.

“A Means For” of Claim 1:

As mentioned the O.A. states, of claim 1, “A means for” is unclear. Is this a system or method claim?”

Claim 1 is rewritten as a method claim, and now recites “A method with a means for...” to make the claim clear.

The Remaining O.A. Statements Under § 112:

As mentioned the O.A. states “Claims 1-10 do not have a period.”

Claims 1-10 are rewritten by adding a period at the end of each claim.

The O.A. states “Claims 2-10 are not in a correct dependent form. They should read “The method of claim 1, wherein.....””.

Claims 2-10 are rewritten in correct dependent form, as follows: “The method of Claim 1 wherein...”.

In regards to claim 8, the O.A. states “Edictionary” is not a common term of art and should be defined or called online dictionary.”

Claim 8 is rewritten by deleting the term “edictionaries” the 2 times it was written in the claim, and is replaced with the defined term “said pop up digital spaces”.

In regards to claim 3, the O.A. states, “Et cetra” is not proper claim terminology.”

Claim 3 is rewritten by deleting the term “et cetera”.

The O.A. states “In claim 7, it is unclear what is meant by “said dictionary elements and said images or moving images elements are to be used judiciously and not always all at once””.

Claim 7 is rewritten by deleting the words “and said images or moving images elements” and by deleting the words “not always all at once” to make the claim clear and understandable, and to broaden the claim in concise language.

The applicant submits that claims 1-10 are amended to distinctly claim the subject matter of the invention. Accordingly, the applicant solicits reconsideration and allowance of claims 1-10 under 35 U.S.C. § 112.

The Rejection of Independent Claim 1, Now New Independent

Claim 11, Overcome Under § 112

As mentioned, the O.A. rejected claim 1 under 35 U.S.C 112, second paragraph.

The independent claim 1 is canceled, and replaced by new independent claim 11.

New independent claim 11 amends canceled independent claim 1 in the following ways with the accompanying reasons:

1. The word “using” is added to the start of line 3 to recite a gerund since claim 11 is a method. The added word makes the claim clear, logical, and precise under § 112, second paragraph, and to recite a function under § 112, sixth paragraph.
2. The words “utilizing a” is added to the start of line 4 to recite a gerund since claim 11 is a method. The added words makes the claim clear, logical, and precise under § 112, second paragraph, and to recite a function under § 112, sixth paragraph.
3. The words “a computer’s screen” is deleted on line 4 and replaced with the words “a computer screen” to make the claim clear, logical, and precise under § 112, second paragraph, and to broaden the claim in concise language under § 112.
4. The word “having” is added to the start of line 5 to recite a gerund since claim 11 is a method. The added word makes the claim clear, logical, and precise under § 112, second paragraph, and to recite a function under § 112, sixth paragraph.
5. The words “said computer’s screen” is deleted on line 5 and replaced with the words “said computer screen” to make the claim clear, logical, and precise under § 112, second paragraph, and to broaden the claim in concise language under § 112.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

6. The words “and said other relevant elements” is deleted on line 6 to make the claim clear, logical, and precise under § 112, second paragraph, and to broaden the claim in concise language under § 112.

7. The words “said word or phrase” is deleted on line 6 and replaced with the words “a word or phrase” with the proper antecedent because elements from the preamble cannot be used to define terms under § 112, second paragraph.

The applicant submits that new independent claim 11 amends canceled independent claim 1 to distinctly claim the subject matter of the invention.

Accordingly, the applicant solicits reconsideration and allowance of new independent claim 11 under 35 U.S.C. § 112.

The Rejection of Dependent Claim 7, Now New Dependent Claim 17, Overcome Under § 112

As mentioned, the O.A. rejected claim 7 under 35 U.S.C 112, second paragraph and further states “In claim 7, it is unclear what is meant by “said dictionary elements and said images or moving images elements are to be used judiciously and not always all at once””.

Claim 7 is canceled and replaced by new claim 17.

Claim 7 is rewritten for the reasons discussed in the above heading “The Rejections of Claims 1 to 10 Overcome Under § 112”.

New claim 17 amends canceled claim 7 with the accompanying reason as follows:

The words “Claim 1” is deleted and replaced by the correct referred claim, “Claim 11” to make the claim clear, logical, and precise under § 112, second paragraph.

The applicant submits that new claim 17 amends canceled claim 7 to distinctly claim the subject matter of the invention. Accordingly, the applicant solicits reconsideration and allowance of new claim 17 under 35 U.S.C. § 112.

A Review of the Single Reference of MacMillan

MacMillan shows a system and method where the just one specific English language words are inputted into a search box. The primary etymology for each word is summarized on only one line of text that is obtained in printouts.

The Rejection of Claims 1-3 and 9-10 On MacMillan

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Overcome Under § 102

The O. A. states "Claims 1-3 and 9-10 are rejected under 35 U.S.C 102(b) as being anticipated by MacMillan (6.256.605).", hereinafter MacMillan.

The applicant respectfully disagrees with the rejection and the reasons are discussed in the following headings.

The Rejection of Claim 1, Now New Claim 11, On MacMillan

Overcome Under § 102

The O.A. states "In regard to claim 1, MacMillan show a system and method for conveniently providing dictionary elements and other relevant elements of a word or phrase for computer users, comprising: (a) a computer, (b) text displayed on the computer's screen (c) a cursor present on the computer's screen whereby said dictionary elements and said other relevant elements for said word or phrase are presented in pop up digital spaces when said cursor is placed over said word or phrase in said text (col. 3, In 20-30, Abstract)."

Macmillan describes at col. 3, lines 20-30, "2. An "interface between the user and the Language Database was built using the same generic Pentium based PC and Word6/Word2000. The interface is a computer program written as a WordBasic/VisualBasic "macro"; a macro is a series of Word commands that can be performed by pressing a single key. In this embodiment, it is software designed to provide etymology information quickly and easily. The crucial factor is to make the simplest possible "interface" for a user. In the interface constructed for this invention, by pressing a single key the user brings up on the computer screen a simple window where up to 40 words can be entered for the computer to look up and print out."

MacMillan describes in the abstract, in brief "A computer implemented method of summarizing only English language etymological information. For each analyzed word, only the primary language or languages of origin are specified. Furthermore, this information is provided in a single line of text. Thus the main objective of this method is to make the major features of the etymology immediately apparent in a single line of text. The method can be implemented on a Personal Computer using word processing software to write a Language Database and Search Macros so the user may easily query the database for words and obtain a printout. A user may

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

type in a single word, multiple words, or an entire paragraph and receive a printout listing an etymological analysis of each word, one analyzed word per line.”

The abstract concludes that this method “is not meant to substitute for the traditional dictionary approach but rather to be a useful alternative.”

As mentioned, claim 1 is canceled and replaced by new claim 11 under § 112.

The applicant respectfully disagrees that MacMillan, at col. 3, in 20-30 and in the abstract of his invention, describes the novel physical features of new claim 11.

MacMillan, at col. 3 and in his abstract, clearly does not describe the novel structure of new claim 11 in which the dictionary elements for a word or phrase are presented in pop up digital spaces when a cursor is placed over the words in a text.

New claim 11 recites additional novel physical features that distinguish over the invention of MacMillan for the following reasons:

(1) Claim 11 is novel over MacMillan because the claim recites a **text**. MacMillan does not describe a text of claim 11. Instead MacMillan describes implementing a **word processor** with words yet to be written, an **interactive web site** on the internet, an **entire paragraph** to be analyzed in a search, and the primary etymology on only one line of text for each word on a printout output. Thus a text of claim 11 distinguishes over MacMillan.

(2) Claim 11 is novel over MacMillan because the claim recites a **cursor that is placed over a word or phrase in a text**. MacMillan does not describe the novel structure of claim 11. Rather MacMillan describes **inputting** words into a search box such as by typing the words and **pressing keys** to bring up search macros and to printout. Thus the novel structure of claim 11 physically distinguishes over MacMillan.

(3) Claim 11 is novel over MacMillan because the claim recites **dictionary elements**. MacMillan does not describe the dictionary elements of claim 11. Instead MacMillan describes for each word only the most important etymological information in which only the **primary etymology** is specified with one language of origin or languages if there is more than one origin. Thus the dictionary elements of claim 11 distinguishes MacMillan and his invention of primary etymology.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

(4) Claim 11 is novel over MacMillan because the claim recites **pop up digital spaces**. MacMillan does not describe the pop up digital spaces of claim 11. Instead MacMillan describes **interactive search macros**. In addition the pop up digital spaces are part of a **result** of claim 11. Rather the interactive search macros of MacMillan are a **step in a series of steps**, and are not part of a result. Thus the pop up digital spaces of claim 11 distinguishes over MacMillan and the interactive search macros of his invention.

(5) Claim 11 is novel over MacMillan because the claim recites a **novel structure** of a means to be a computer dictionary. MacMillan does not describe a means to be a computer dictionary. Instead MacMillan wrote, "It is to be emphasized that this method is not meant to substitute for the traditional dictionary approach but rather to be a useful alternative. It is simply a **complementary method** of presenting etymological information." Thus a novel structure of a means to be a computer dictionary of claim 11 physically distinguishes over MacMillan and the complementary method of presenting etymological information of his invention.

From the reasons discussed, the applicant submits that new independent claim 11 clearly recites novel physical features that distinguish over MacMillan.

Therefore the applicant submits that new claim 11 is allowable over MacMillan and solicits reconsideration and allowance under 35 U.S.C. § 102.

New Claim 11 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103

These distinctions are submitted to be of patentable merit because the novel subject matter of new claim 11 is unobvious over MacMillan, or any modification thereof.

The new and unexpected results that flow from the novel structure of new claim 11 are discussed in the following reasons:

Speed: Claim 11 is faster than MacMillan and this change in speed is a benefit. Claim 11 shows faster results than MacMillan because the claim requires merely placing a cursor over a word or phrase for results. This advantage of speed from the claim is important in software innovations. The speed result of claim 11 is very different than MacMillan. A user of MacMillan must press a specific, hard to remember key, which brings up a search macro interface, must input words into a search box such as by typing the words, and must press

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

another specific key to obtain a printout result. Thus MacMillan has a is significantly slower result.

Ease to Use: Claim 11 is easier to learn and use than MacMillan because the dictionary elements of the claim are presented more facilely by merely placing a cursor over a word or phrase. The ease of use result of claim 11 is very different than MacMillan. MacMillan is more difficult to learn and use because a user must press specific keys for each of 3 possible search macros to use. Then the user inputs the words into a search box such as by typing the words, and press another specific key to obtain the printouts. The printouts of MacMillan require a printer, a sophisticated machine that is not easy to use for most people. Thus MacMillan has a harder to use result.

Ease of Production: Claim 11 is likely to be easier to manufacture than MacMillan because the claim only has a total of 8 parts and functions and needs only 3 basic flowchart steps to build. The ease of production result of claim 11 is very different than MacMillan. MacMillan requires numerous steps, parts, sequences, elements, and needs 6 detailed flowcharts to build. Thus MacMillan likely has a significantly more difficult to produce result.

Novelty: Claim 11 is different from MacMillan and all previously known counterparts as of the applicant's filing date of **02/22/2002**. Claim 11 produces dictionary elements of a word or phrase presented in pop up digital spaces when a cursor is placed over the words in a text. Merely making a claim different may not appear to be an advantage per se, but it is usually a great advantage. Claim 11 provides a novel method for doing the job of learning about a word or phrase in case MacMillan and the previously known counterparts ever encounter difficulties. The novelty result of claim 11 is very different than MacMillan and the previously known counterparts because they do not this novel method of the claim.

Convenience: Claim 11 provides convenience because it merely requires placing a cursor over a word or phrase to get the results of the claim. MacMillan requires significantly more time than claim 11 because a user of his invention presses 3 specific keys to bring up 3 search macros, input words into the search box such as by typing the words, and press another key for the printouts, among other steps. This is less convenient than claim 11.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

If the user of MacMillan decides not to obtain a printout, the search macro is removed after all this effort. The user must repeat the many steps and parts, and remember the words to input to obtain the printouts. This wastes time and is not convenient.

In addition if the user had inputted a previously inputted word then MacMillan provides no printouts, in which case the user gets no results and still forgets the primary etymology. This wastes more time and is not convenient.

Claim 11 is likely to save more money than MacMillan because his invention literally forces a user to have a printer and a supply of paper for the printouts. A printer is a relatively expensive purchase, and needs paper which is increasingly expensive. These expenses are usually very inconvenient for most people. Thus the convenience results of claim 11 are very different than MacMillan because his invention has a significantly less convenience result.

Social Benefit: Claim 11 provides the social benefits of learning, knowledge and education because people can peruse all of the dictionary elements from the claim. The social benefit results of claim 11 are very different than MacMillan. MacMillan shows only the primary etymology on only one line of text for each word. As mentioned MacMillan wrote "It is simply a complementary method of presenting etymological information." He also wrote "it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created." Thus MacMillan provides significantly less social benefits than claim 11.

Mechanization: Claim 11 computerizes the manual task of looking up a word or phrase in a dictionary book because it requires merely placing a cursor over a word or phrase to present the dictionary elements. The mechanization result of claim 11 is very different than MacMillan.

MacMillan requires many tasks such as pressing keys to bring up search macros, inputting words into a search box such as by typing the words, and pressing another key for the printouts, among other steps. Thus MacMillan has a significantly less mechanization and computerization result.

Ecology: Claim 11 has great potential to provide ecology benefits because it does not emphasize or require the printing of paper. Paper is from organic matter, in most cases from trees, which are a limited and important natural resource. Claim 11 produces pop up digital spaces to present dictionary elements on a computer screen. The ecology result of claim 11 is critical and very

different than MacMillan because his invention literally forces a user to print paper to view the results. When the printouts of MacMillan show just a few lines of text or less for each word, this is obviously a superfluous waste of paper. The heavy dependence on the use of paper of MacMillan is a detrimental and unnecessary stress on the ecology. Thus MacMillan has a very negative ecology result.

Salability: Claim 11 is easy to sell and market because the dictionary elements are likely to be popular and common to the everyday needs of consumers. The salability result of claim 11 is very different than MacMillan because his invention provides primary etymology on only one line of text for each word on a printout. In fact MacMillan wrote, "However, the average person seldom consults the dictionary for etymological information." Thus MacMillan concedes that etymological information is not popular and thus has a harder to sell and market result.

Appearance: Claim 11 produces a better appearing design than MacMillan because the overall structure of the claim of a computer screen, a text, and a cursor is austere to begin with. Yet the pop up digital spaces presents plentiful and rich information from the dictionary elements. The appearance result of claim 11 is very different than MacMillan because his invention appears too frontloaded from the numerous steps and parts such as search macros, the question prompts, and the his method for dealing with redundancies. MacMillan's design is too complex, awkward, and cumbersome for the puny results of only one line of text of primary etymology for each word on a printout.

Viewability: Claim 11 presents more viewable subject matter than MacMillan because the dictionary elements of the claim in pop up digital spaces produces a plethora of viewable information. The viewability result of claim 11 is very different than MacMillan because his invention shows only one line of text of primary etymology for each word on a printout. Thus MacMillan has a significantly less viewability result.

Market Size: Claim 11 likely has a larger market size than MacMillan because the dictionary elements of the claim are common to the needs of the everyday market. The market size result of claim 11 is very different than MacMillan. MacMillan provides idiosyncratic, very specific, primary etymology on printouts that is not popular. As mentioned, MacMillan wrote, "However,

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

the average person seldom consults the dictionary for etymological information.” Thus MacMillan likely has a small market size result.

Ease of Market Penetration: Claim 11 will likely have an easy time penetrating the market because its novel structure is an improvement over prior art computers providing dictionary elements such as the cited reference of Bartleby.com. Claim 11 will have an easier time penetrating the market and obtaining a good market share than a method that provides a completely new function. The ease of market penetration result of claim 11 is very different than MacMillan because his invention is not an improvement of previously accepted system and method. As mentioned MacMillan wrote, ““It is simply a complementary method of presenting etymological information.” He also wrote “it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created.” Thus MacMillan likely has a difficulty of market penetration result.

Potential Competition: Claim 11 is so simple, easy to manufacture, and potentially very popular that many imitators and copiers are likely to attempt to copy it or design around it, or try to break the claim as soon as it is brought out. The competition result of claim 11 is very different than MacMillan because his invention is complex, not popular, and is harder to manufacture. Thus MacMillan likely has a limited competition result.

Quality: Claim 11 produces a higher quality output than MacMillan because the dictionary elements of the claim provide richer, more informative results of high quality. The quality result of claim 11 is very different than MacMillan. MacMillan shows the puny output of only one line of text of primary etymology for each word, and thus has a lower quality result.

New Use: Claim 11 provides a new use of a computer. The computer is newly used to present dictionary elements in pop up digital spaces when a cursor is placed over a word or phrase in a text. The new use result of claim 11 is very different than MacMillan because his invention provides a new use of a computer that shows new and different results than claim 11.

Miscellaneous: Claim 11 has the advantage of having very few or no contingencies. This advantage of claim 11 is very different than MacMillan. MacMillan has a disadvantage because his invention expends many resources to deal with a bothersome contingency. The contingency is if a word is inputted into a search box, yet the same word was previously inputted.

MacMillan's solution is to prevent the same word from being outputted twice on printouts. MacMillan shows many steps, parts, sequences, and detailed flowchart steps to deal with this contingency.

This presents disadvantages since a user of MacMillan cannot have the primary etymology of a word again in a printout because the same word was previously inputted. The user is left to continue to forget the primary etymology of the word. In contrast the same dictionary elements for a word or phrase of claim 11 are presented as many times as needed. Yet claim 11 remains lean in its novel structure.

Long Life Cycle: Claim 11 likely has a long life cycle because computers are popular machines that can be made and sold for many years. The long life cycle result of claim 11 is very different than MacMillan because his invention heavily depends on printouts. MacMillan's exclusive reliance on a printer hampers his invention which can make it obsolete, and thus has a limited life cycle result.

Related Product Addability: Claim 11 likely will usher in new product lines. For example, many related products of the dictionary elements can be added. For another example, practically all separate products and services can be added in the pop up digital spaces of claim 11. The addability result of claim 11 is very different than MacMillan because his invention is so specific in its structure with its many steps and parts, especially the heavy dependence on printouts. Thus MacMillan likely has a limited addability result.

Satisfies Existing Need: Claim 11 will satisfy an existing, recognized need because it produces dictionary elements of a word or phrase in a fast, convenient, and unique method. The looking up of words in a dictionary, even with prior art computer dictionaries, remains a relatively time consuming, inconvenient, and boring task. The dictionary elements of claim 11 presented in pop up digital spaces appear virtually instantaneously when a cursor is placed over a word or phrase. The existing need result of claim 11 is very different than MacMillan because his invention is significantly slower and less convenient from the numerous steps and parts required to obtain a printout result.

Operability: Claim 11 and its lean structure is likely to work readily and require no significant technical developments to make it practicable and workable. The operability result of claim 11

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

is very different than MacMillan because his invention is built to a very specific, complex structure with numerous steps and parts. For example, MacMillan requires specific search macros, the inputting of words into a search box such as by typing the words, contingency sequences for redundancies, and especially the heavy dependence on a printout output. Thus MacMillan has a less operability result.

Development: Claim 11 is already designed for the market because its lean structure for providing dictionary elements will not require significant development. The development result of claim 11 is very different than MacMillan because his more complex, very specific invention requires numerous steps, parts, detailed flowcharts, sequences, and elements to develop.

Profitability: Claim 11 likely is easy to sell at a profit or at an acceptable price level because its lean structure requires no expensive and difficult development tooling or expensive exotic materials to build. The profitability result of claim 11 is very different than MacMillan because his invention requires numerous very specific steps and parts to build, and heavily depends on a printer and a supply of paper that are expensive to consumers. Thus MacMillan likely has a limited profitability result.

Obsolescence: The field in which claim 11 is used, computers and digital text and images, is likely to be around for a long time because computers are a popular and growing field. The positive obsolescence result of claim 11 is very different than MacMillan because his invention may become obsolete from its heavy dependence on printouts that requires a printer and a supply of paper.

Compatibility: Claim 11 is likely to be compatible with existing patterns of use and customs because it is a digital creation. For example, the dictionary elements presented in pop up digital spaces of claim 11 are compatible with many existing computers, operating systems, internet networks, internet protocols, programming languages and software. The compatibility result of claim 11 is very different than MacMillan because his invention requires numerous very specific steps and parts, and thus likely has a less compatibility result.

Ease of Distribution: Claim 11 is easy and cheap to distribute because digital products are distributed in many established ways. Some examples are to retail stores, to consumers, downloading and uploading via the internet, and as already installed in computers. The ease of

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

distribution result of claim 11 is very different than MacMillan because his invention, for example, is distributed with at least 2 databases and needs a separate printer. The necessity of a printer of MacMillan significantly complicates the distribution of his invention. The printer must either be previously purchased, purchased at the same time, or purchased later which requires a user to wait to use MacMillan's invention. Thus MacMillan has a significantly less ease of distribution result.

Minimal Learning Required: Claim 11 is easy to learn because it merely requires placing a cursor over a word or phrase. The minimal learning result of claim 11 is very different than MacMillan because the numerous steps, parts, sequences, and elements of his invention requires significantly more learning to use. Also the heavy dependence on a printer of MacMillan may require additional learning, especially with new printers. Thus MacMillan has a significantly harder learning result.

Easy to Promote: Claim 11 solves the omnipresent problem of the slow, time consuming, and often boring task of looking up words in a dictionary, even in prior art computer dictionaries such as the cited reference of Bartleby.com. The lean structure of claim 11 likely is cheap and easy to market. The easy to promote results of claim 11 are very different than MacMillan because his primary etymology is not popular. As mentioned he wrote, "However, the average person seldom consults the dictionary for etymological information." MacMillan also requires numerous very specific steps and parts that are technically complex, expensive, and awkward. Thus MacMillan likely has a harder to promote result.

Presence of Market: Claim 11 likely has a market that already exists because computers are ubiquitous and popular machines and its dictionary elements have an everyday usefulness. The presence of market result of claim 11 is very different than MacMillan because the primary etymology on only one line of text for each word on a printout is not useful to most people. As mentioned he wrote, "However, the average person seldom consults the dictionary for etymological information." Thus MacMillan concedes his invention of primary etymology is not popular, and thus likely has a small presence of market result.

Broad Patent Coverage Available: Claim 11 likely will have broad patent coverage available if allowed and this will affect profitability. Since claim 11 is the only source that performs its

certain, unique functions, the claim will be able to charge more than it would in a competitive situation. Claim 11 performs the functions of presenting dictionary elements in pop up digital spaces when a cursor is placed over a word or phrase in a text. The broad patent result of claim 11 is very different than MacMillan because the functions of his invention such as primary etymology on only one line of text for each word on a printout are very specific. Thus MacMillan likely has a limited patent coverage result.

High Sales Anticipated: Claim 11 can anticipate a high sales volume because the method providing dictionary elements is very useful, convenient, relatively cheap, or perhaps free to a consumer. The high sales result of claim 11 is very different than MacMillan because his primary etymology is not useful and popular to most people. As mentioned, he wrote, "However, the average person seldom consults the dictionary for etymological information." Thus MacMillan likely does not have a high sales result.

Visibility of Invention in Final Product: Claim 11 is highly visible because of the rich, lush information from the dictionary elements in pop up digital spaces. Claim 11 essentially constitutes the entire final product. This will be a distinct marketing advantage to entice buyers who love the new. The high visibility results of claim 11 are very different than MacMillan because his invention of primary etymology on only one line of text for each word only on a printout is significantly less visible. In addition, the primary etymology for a word cannot be obtained twice on printouts and this further limits the visibility of MacMillan. Thus MacMillan has a lower visibility result.

Youth Market: Young people have substantial discretionary income and tend to spend more in many product areas than the rest of the population. Claim 11 will appeal to young people because computers are popular with this market. Claim 11 is extremely useful for young people to learn about a word or phrase. The dictionary elements of claim 11 are important for the purposes of learning, knowledge and education. Claim 11 is valuable because higher education is often a priority of young people. Claim 11 is likely to command more sales of the youth market than the staid, static primary etymology of MacMillan. The youth market result of claim 11 is very different than MacMillan because his invention shows primary etymology that is not popular. Thus MacMillan likely has a small youth market result.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

New Claim 11 Is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:

The additional reasons that new claim 11 is unobvious are as follows:

Synergism: The results achieved by claim 11 are greater than the sum of the separate results of its parts. The results of dictionary elements of claim 11 are greater than the separate parts of a text, a computer screen, a cursor, and pop up digital spaces. In addition these separate parts of claim 11 cooperate to increase the overall learning of a word or phrase, a synergistic effect. The synergism results of claim 11 are very different than MacMillan. The result achieved by MacMillan of primary etymology on only one line of text for each word on a printout is puny. This puny result is much less than the sum of the results of the separate numerous steps and parts of MacMillan. Thus the synergisms of claim 11 produces disproportionately more results than the puny results of MacMillan.

Different Combination: The combination of claim 11 had not previously been created as of the applicant's filing date. Claim 11 produces the combination of a text, a cursor, and pop up digital spaces presenting dictionary elements. The combination of claim 11 is very different than MacMillan. MacMillan shows the very different combination of search macros, search boxes for the inputting of words, and the primary etymology on only one line of text for each word on a printout. Thus the pop up digital spaces presenting dictionary elements of claim 11 is so far different than the primary etymology on a printout of MacMillan that his invention must be regarded as different from that of claim 11.

Unexpected Results: The results achieved by claim 11 are new, unexpected, superior, disproportionate, unusual, unsuggested, critical and surprising because dictionary elements presented in pop up digital spaces by placing a cursor over a word or phrase did not exist as of the applicant's filing date. MacMillan does not show the unexpected results of claim 11.

Assumed Unworkability: Up to now MacMillan and those skilled in the art were skeptical that the techniques of claim 11 were workable. MacMillan, as a skilled software inventor, wrote "In attempting to pursue this approach, it is, of course obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created. But the aim of this "broad brush" approach is not meant to replace the former method but rather to be a complementary

technique.” The former method is “At one extreme, the traditional approach aims to present a complete history of each word. This is roughly the goal of most dictionaries”. MacMillan assumes that a complete etymology is unworkable, much less the complete dictionary elements of claim 11.

Crowded Art: The method of claim 11 is classified in the crowded art of computers. A small step forward in a crowded art should be regarded as significant. Claim 11 produces dictionary elements presented in pop up digital spaces in a fast and convenient method. MacMillan does not show this small step forward.

Omission of Elements: MacMillan describes many different elements such as generating specific language and thesaurus databases, implementation in word processors, 3 search macro interfaces, search boxes to input words, input by typing the words, means for inputting a single word, queries, specific functions keys to press, 28 flowchart steps, another 24 flowchart steps, delete steps, update steps, a sequence using matching steps to prevent two printouts of the same word, steps for superscripting matched words, a table/matrix to keep track of which superscripted words have been printed out already, steps to flag parts, a counting step, sub-section parts, parts labeled Bolded Major Heading, at least 4 steps with a question for a user to answer, commands to print in 10 different steps, two steps that print “No Match Found for This Word”, the only English language point of view, an Old English Section, a database consisting of 44 specific foreign languages to be used as primary etymology for English words, numerous references to the sole dependence on a printout output, and the output of primary etymology on only one line of text for each analyzed word on a printout among other elements. These elements of MacMillan are omitted in claim 11. The omission of these elements in claim 11 shows it is simpler yet more informative than MacMillan without loss of capability.

Unsuggested Modifications: MacMillan lacks any suggestion that his invention should be modified in the following manners required to meet claim 11:

(1) The O.A. states “In regard to claim 1, MacMillan show a system and method for conveniently providing dictionary elements and other elements of a word or phrase for computer users, comprising: (a) a computer, (b) text displayed on the computer’s screen (c) a cursor present on the computer’s screen whereby said dictionary elements and said other relevant

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

elements for said word or phrase are presented in pop up digital spaces when said cursor is placed over said word or phrase in said text (col. 3, In 20-30, Abstract)."

As mentioned claim 1 is canceled and replaced by new claim 11.

MacMillan describes, in part, at col. 3, In 20-30, "In the interface constructed for this invention, by pressing a single key the user brings up on the computer screen a simple window where up to 40 words can...". The sentence is completed at col. 3, In 31 "...be entered for the computer to look up and print out."

Thus MacMillan at col. 3 describes a user **pressing a single key** to bring up a simple window where up to 40 words can be entered for the computer to look up **and printout the etymological information**.

This description of MacMillan is very different than claim 11 because when **a cursor** of the claim is placed over a word or phrase, the **dictionary elements** are presented **in pop up digital spaces**. Hence MacMillan fails to describe and show these results and subject matter of claim 11. Therefore MacMillan at col. 3, In 20-30, lacks any suggestion that it should be modified in a manner required to meet claim 11.

(2) MacMillan describes, in part, in his Abstract, "A user may type in a single word, multiple words, or an entire paragraph and receive a printout listing an etymological analysis of each word, one analyzed word per line."

Thus MacMillan describes in his abstract of a user may **type in** words and receive **a printout** listing **an etymological analysis** on one line for each word

This abstract of MacMillan is very different than claim 11 because when **a cursor** of the claim is placed over a word or phrase, the **dictionary elements** are presented **in pop up digital spaces**. Hence MacMillan fails to describe these results and subject matter of claim 11. Therefore MacMillan, in his abstract, lacks any suggestion that it should be modified in a manner required to meet claim 11.

Unappreciated Advantage: Up to now MacMillan and those skilled in the art never appreciated the advantages of claim 11 although it is inherent because the advantages did not exist as of the applicant's filing date. Claim 11 produces the advantages of dictionary elements presented in a method that is fast, efficient, convenient, and more educational than MacMillan.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Inoperative Reference: The reference of MacMillan that is relied upon is inoperative because his patent expired on 08/03/2005 due to non payment of maintenance fees.

Poor Reference: MacMillan is a vague reference of claim 11. He wrote, "it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created." MacMillan is entirely foreign to claim 11 because he does not describe and show dictionary elements presented in pop up digital spaces at all. MacMillan also conflicts with claim 11 because his invention instead shows primary etymology on only one line of text for each word on a printout. The reference of MacMillan is therefore weak and should be construed narrowly.

Lack of Implementation: If claim 11 were in fact obvious, because of its advantages, MacMillan and those skilled in the art surely would have implemented the claim as of the applicant's filing date. Claim 11 produces dictionary elements in a method that is fast, efficient, convenient and extremely educational. The fact that MacMillan and those skilled in the art have not implemented claim 11, despite its great advantages, indicates that it is not obvious.

Misunderstood Reference: MacMillan does not teach what the O.A. relies upon it as supposedly teaching. MacMillan does not teach the method of claim 11 in which dictionary elements are presented in pop up digital spaces when a cursor is placed over a word or phrase in a text. In contrast MacMillan teaches the very different search macros for inputting words that are queried to present the primary etymology on only one line of text for each word on a printout.

Solution of Long-Felt and Unsolved Need: Claim 11 solves a long felt, long existing, but unsolved need. Claim 11 presents dictionary elements of a word or phrase in a fast, efficient, and convenient method. The long existing need was not previously solved in such an effective method. The solution of claim 11 did not exist as of the applicant's filing date. MacMillan fails to show a solution to these needs solved by claim 11. Instead MacMillan solves the very different need of presenting the specific primary etymology on only one line of text for each word on a printout.

Contrarian Invention: Claim 11 is contrary to the teachings of MacMillan. Claim 11 goes against the grain of what the MacMillan teaches. The dictionary elements presented in pop up

digital spaces of claim 11 goes against the grain of MacMillan because he teaches instead the very specific primary etymology on only one line of text for each word on a printout.

In addition claim 11 is contrary to the teachings of MacMillan because the results of the claim are presented immediately when a cursor is placed over a word or phrase. This function of claim 11 goes against the grain of MacMillan because he teaches instead many steps such as the inputting of words into a search box to present the results.

Lastly the dictionary elements of claim 11 are contrary to the teachings of MacMillan. The dictionary elements go against the grain of MacMillan because he teaches instead the very specific primary etymology results. MacMillan does not teach the other meanings from the dictionary elements of claim 11 besides the very specific primary etymology.

Strained Interpretation: The O.A. has made a strained interpretation of MacMillan that could be made only in hindsight. MacMillan clearly does not show the results of claim 11 in which dictionary elements are presented in pop up digital spaces when a cursor is placed over a word or phrase in a text.

New Principle of Operation: Claim 11 utilizes a new principle of operation. The new principle of operation of claim 11 is not shown by MacMillan and the prior art as of the applicant's filing date. Claim 11 utilizes a new principle of operation in presenting dictionary elements in pop up digital spaces when a cursor is placed over a word or phrase in a text on a computer screen. The applicant has blazed a trail, rather than followed one.

Solved Different Problem: Claim 11 solves a different problem than MacMillan, and such different problem is recited in the claim. Claim 11 solves the problem of presenting dictionary elements in a fast, efficient, and convenient method. MacMillan solves the very different problem of providing the very specific primary etymology on only one line of text for each word on a printout.

No Convincing Reason: The O.A. has not presented a convincing line of reasoning as to why the subject matter of claim 11 as a whole, including its differences over MacMillan, would have been obvious. MacMillan clearly does not show the new and unexpected results of claim 11 in which dictionary elements are presented in pop up digital spaces when a cursor is placed over a word or phrase in a text.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Therefore the applicant submits that new independent claim 11 produces valuable new, unexpected, and different results and hence is unobvious and patentable over MacMillan under 35 U.S.C § 103.

Accordingly the applicant submits that new independent claim 11 is allowable over MacMillan and solicits reconsideration and allowance.

The Dependent Claim 2, Now New Dependent Claim 12, Is A Fortiori Patentable Over MacMillan

New claim 12 incorporates all the novel subject matter of new claim 11 and adds additional subject matter which makes new claim 12 a fortiori and independently patentable over MacMillan.

Claim 2 is canceled and replaced by new claim 12.

Claim 2 is rewritten as new claim 12 for the reasons discussed in the above heading “The Rejections of Claims 1 to 10 Overcome Under § 112”.

New claim 12 amends claim 2 for the reasons from referred claim 11 discussed in the above heading “The Rejection of Independent Claim 1, Now New Independent Claim 11, Overcome Under § 112”.

Lastly new claim 12 amends canceled claim 2 with the accompanying reasons as follows:

1. The words “Claim 1” is deleted and replaced by the correct referred claim, “Claim 11” to make the claim clear, logical, and precise under § 112, second paragraph.
2. The phrase “include but are not limited to definitions, pronunciation keys, syllable breaks, parts of speech entries, synonyms, antonyms, homographs, usages, variants, idioms, quotations, and etymologies” is deleted and;

replaced with the phrase “includes a definition presented in said pop up digital spaces.” to make the claim clear, logical, and precise under § 112, second paragraph, to recite a function under § 112, sixth paragraph, and to broaden the claim in concise language under § 112.

The applicant submits that new claim 12 amends canceled claim 2 to distinctly claim the subject matter, and to make the claim clear and understandable and requests reconsideration.

Therefore, the applicant solicits allowance of new claim 12 under 35 U.S.C. § 112.

The Rejection of Claim 2, Now New Claim 12, on MacMillan

Overcome Under § 102

The O.A. states “In regard to claim 2, MacMillan show a system and method for conveniently providing dictionary elements, wherein said dictionary elements include but are not limited to definitions, pronunciation keys, syllable breaks, parts of speech entries, synonyms, antonyms, homographs, usages, variants, idioms, quotations, and etymologies (Fig. 1, Thesaurus use – Abstract).”

MacMillan in Fig. 1 shows a sample page from the Language Database. Fig. 1 shows a list of English words with the primary etymology for each word. Next to each English word, there is a Greek primary etymology origin that was adapted into English after 1100.

MacMillan describes, in his abstract, about thesaurus use and wrote, “Secondly, a user may access a Thesaurus with Etymology Database, type in a single word, for example, a medical term, and receive a printout of related medical terms, each etymologically summarized on one line of text.”

As mentioned claim 2 is canceled and replaced by new claim 12.

The reasons that new claim 12 is novel over MacMillan include those from referred new claim 11 discussed in the above heading, “The Rejection of Claim 1, Now New Claim 11, On MacMillan Overcome Under § 102”.

The applicant agrees that MacMillan does not describe “Thesaurus use” in his abstract, and instead describes a “Thesaurus with Etymology Database”.

However, the applicant respectfully disagrees that MacMillan, in Fig. 1 and in the abstract, describes a definition of new claim 12 because he clearly does not.

In addition new claim 12 recites novel physical features that distinguish over the invention of MacMillan for the following reasons:

1. Claim 12 is novel over MacMillan because his invention does not describe the **dictionary elements** of the claim. The dictionary elements of claim 12, as a plural form phrase, would need a **multiplicity of lines** of text for the at least one dictionary elements.

Instead MacMillan describes the **very specific primary etymology** that is limited to **only one line of text** for each word.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

2. Claim 12 is novel over MacMillan because his invention does not describe at all a **definition** in the unique method of the claim. Instead MacMillan describes the **very specific primary etymology** and the use of a **Thesaurus** from a Thesaurus Database with a listing of related words of the inputted word with the primary etymology for each related word.

3. Claim 12 recites **pop up digital spaces**. The pop up digital spaces of claim 12 presents dictionary elements such as a definition in the novel structure of the claim. MacMillan does not describe this novel structure of claim 12.

Instead MacMillan describes the output of a **printout** of primary etymology on only one line of text for each word.

4. MacMillan does not describe the **full information capabilities** of the dictionary elements and a definition, with all the possible meanings of a word or phrase, that are presented in the novel structure of claim 12,

Instead MacMillan describes the **very specific** primary etymology of only one line of text for each word.

From the reasons discussed, the applicant submits that new claim 12 clearly recites novel physical features that distinguish over MacMillan.

Therefore applicant submits that new claim 12 is allowable over MacMillan and solicits reconsideration and allowance under 35 U.S.C. § 102.

New Claim 12 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103

These distinctions are submitted to be of patentable merit because the novel subject matter of new claim 12 is unobvious and hence even more patentable under § 103 since it adds additional subject matter over MacMillan, or any modification thereof.

The new and unexpected results for new claim 12 include those from referred claim 11 discussed in the above heading “New Independent Claim 11 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103”.

The applicant respectfully disagrees that “MacMillan shows a system and method for conveniently providing dictionary elements discussed above.” MacMillan does not show a system and method for conveniently providing dictionary elements of new claim 12. The

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

dictionary elements of new claim 12 are a **broad generic** result indicating that a myriad of different entry types of dictionary elements can be presented.

Instead MacMillan describes and shows the **specific primary etymology** result in his invention. He also provides a **specific Thesaurus Database** to show related words for presenting the primary etymology for each word. Thus MacMillan fails to show the **broad generic** results of the dictionary elements of claim 12.

The new and unexpected results that flow from the novel structure of new claim 12 are discussed in the following reasons:

Novelty: Claim 12 is different from MacMillan and all previously known counterparts as of the applicant's filing date. Claim 12 provides a fast, easy, and unique method for presenting at least a definition in pop up digital spaces. Merely making claim 12 different may not appear to be an advantage per se, but it is usually a great advantage. Claim 12 provides an alternative, better method for doing the job in case MacMillan ever encounters difficulties. Claim 12 does a better job of making a word or phrase understandable.

MacMillan fails to show the novelty of claim 12 which presents at least a definition of a word or phrase in pop up digital spaces. Instead MacMillan shows the primary etymology on only one line of text for each word on a printout.

Social Benefit: Claim 12 produces greater social benefits because a user learns significantly more about a word or phrase from a definition, than from MacMillan. The definitions of claim 12 are useful for the purposes of everyday learning, knowledge and education. The social benefit result of claim 12 is very different than MacMillan because his primary etymology on only one line of text for each word provides a significantly less learning and social benefit result.

Salability: Claim 12 likely is easier to sell and market than MacMillan because the definitions of the claim are more common, popular, and relevant to the everyday needs of people. The salability result of claim 12 is very different than MacMillan. In fact MacMillan wrote, "However, the average person seldom consults the dictionary for etymological information." MacMillan concedes that his primary etymology is not popular, is seldom used, and as a result likely has limited salability results.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Precision: Claim 12 produces greater precision and accuracy than MacMillan because the definitions of the claim provide the full and complete meaning of a word or phrase. The precision result of claim 12 is very different than MacMillan because his invention shows the primary etymology of a word on only one line of text for each word that is fragmentary and thus has limited precision. In fact MacMillan wrote, "At the other extreme, a simplified approach that presents only the minimum essential information." MacMillan also concedes, "it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created." MacMillan, by his own description, fails to provide the precision and accuracy results of claim 12.

Market Size: Claim 12 likely has a larger market than MacMillan because the definitions of the claim are common and popular to the needs of the market. The market size result of claim 12 is very different than MacMillan. As mentioned MacMillan concedes of his invention, "However, the average person seldom consults the dictionary for etymological information." Thus MacMillan concedes that his invention is not popular and likely has a small market result.

Potential Competition: Claim 12 is so simple, potentially very popular, and easy to manufacture because of the definitions function. As a consequence, many imitators and copiers are likely to attempt to copy it or design around it, or try to break the patent as soon as it is brought out. Claim 12 has great potential competition and this is very different than MacMillan. MacMillan is relatively more complex, the primary etymology results are not popular, and is harder to manufacture than claim 12. As mentioned MacMillan wrote, "However, the average person seldom consults the dictionary for etymological information." Thus MacMillan likely has a limited competition result.

Quality: Claim 12 produces a higher quality output than MacMillan because the definitions of the claim are highly informative from the detailed meanings. The quality result of claim 12 is very different than Macmillan because the primary etymology on only one line of text for each word is fragmentary with missing etymological information. As mentioned MacMillan wrote, "it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created." Thus MacMillan concedes, by his own description, that his invention is of low quality.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

New Use: Claim 12 has discovered a new use for definitions as of the applicant's filing date. The definitions of claim 12 are newly used in pop up digital spaces. The new use result of claim 12 is very different than MacMillan because his invention fails to show the new use.

Long Life Cycle: Claim 12 potentially has a long life cycle because the definitions of a word or phrase are typically passed on to succeeding generations. The long life cycle result of claim 12 is very different than MacMillan because the heavy dependence on a printer and a supply of paper to provide the primary etymology may limit the life cycle of his invention.

Related Product Addability: Claim 12 will likely usher in new product lines because many related products to the definitions can be added with potentially enhanced profits. For example, related products such as pronunciation keys, syllable breaks, synonyms, antonyms, and quotations can be added. The addability results of claim 12 are very different than MacMillan because his invention has practically no ways to add new related product lines. MacMillan provides the very specific results of primary etymology on only one line of text for each word on a printout. This leaves virtually no room for MacMillan to add new related products. Thus MacMillan likely has limited related product addability results.

Presence of Market: Claim 12 likely has a market that already exists because the definitions presented in pop up digital spaces have great potential to meet the everyday needs of the market. The presence of market result of claim 12 is very different than MacMillan. As mentioned MacMillan concedes, "However, the average person seldom consults the dictionary for etymological information." Thus the primary etymology of MacMillan likely has a lack of market presence result.

Visibility of Invention: Claim 12 produces definitions in pop up digital spaces on a computer screen and that is highly visible. The high visibility will be a distinct marketing advantage to entice buyers. Claim 12 is very different than MacMillan because his invention provides primary etymology on only one line of text for each word that is visible on printouts. The only one line of text on a printout of MacMillan shows a substantially less visibility result than claim 12.

Youth Market: Young people have substantial discretionary income and tend to spend more in many product areas than the rest of the population. Claim 12 will appeal to young people

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

because computers are popular with this market. The definitions presented in pop up digital spaces of claim 12 are extremely useful for young people to learn about a word or phrase. The definitions of claim 12 are important for the purposes of learning, knowledge and education. Claim 12 is valuable because higher education is often a priority of young people. Claim 12 likely will command more sales of the youth market than MacMillan. The potential youth market result of claim 12 is very different than MacMillan because his invention shows the staid, static primary etymology and likely has a small youth market result.

New Claim 12 Is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:

The reasons that new claim 12 is unobvious include those from referred new claim 11 discussed in the above heading “New Independent Claim 11 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:”

The additional reasons that new claim 12 is unobvious are as follows:

Synergism: The results achieved by claim 12 are greater than the sum of the separate results of its parts. The results of definitions that are shown by claim 12 are greater than the results of the separate parts of a word or phrase in the text and the pop up digital spaces. In addition these separate parts of claim 12 cooperate to increase the overall learning of a word or phrase, a synergistic effect. The synergism results of claim 12 is very different than MacMillan because his result of primary etymology on only one line of text for each word is so puny than the sum of the results of his many steps, parts, sequences, and elements such as the printouts. Thus the synergism of claim 12 produces disproportionately more results than MacMillan’s puny result.

Different Combination: The combination of claim 12 hadn’t previously been created as of the applicant’s filing date. The combination of claim 12 comprises a word or phrase in the text, pop up digital spaces, and definitions. The different combination result of claim 12 is very different than the combination of MacMillan. MacMillan’s combination shows search macros, a search box for inputting words, and the primary etymology on only one line of text for each word obtained on a printout. Thus the combination of claim 12 is so far different from the combination of MacMillan that his invention must be regarded as different from that of claim 12.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Unexpected Results: The results achieved by claim 12 are new, unexpected, superior, disproportionate, unsuggested, unusual, critical, and surprising. The definitions presented in pop up digital spaces of claim 12 are not shown at all by MacMillan and the prior art as of the applicant's filing date.

Omission of Elements: MacMillan describes the different elements of very specific primary etymology, the very specific element of only one line of text for each word, and the very specific sole dependence on a printout output. These elements of MacMillan are omitted in claim 12. The omission of these elements in claim 12 shows it is simpler yet more informative than MacMillan without loss of capability.

Unsuggested Modifications: MacMillan lacks any suggestion that his invention should be modified in the following manners required to meet new claim 12 because of the following reasons:

(1) The O.A. states "In regard to claim 2, MacMillan show a system and method for conveniently providing dictionary elements, wherein said dictionary elements include but are not limited to definitions, pronunciation keys, syllable breaks, parts of speech entries, synonyms, antonyms, homographs, usages, variants, idioms, quotations, and etymologies (Fig. 1, Thesaurus use – Abstract)."

MacMillan, in Fig. 1 of his invention, does not describe and show the definitions presented in pop up digital spaces of claim 12.

Instead MacMillan describes and shows, in Fig. 1, a sample page from the Language Database with the primary etymology of a Greek origin on only line of text for each word. Thus MacMillan, in Fig. 1 of his invention, fails to describe and show the definitions presented in pop up digital spaces of claim 12.

Therefore MacMillan at Fig. 1 lacks any suggestion that it should be modified in a manner required to meet claim 12.

(2) Regarding "Thesaurus use- Abstract", MacMillan wrote in his abstract, "Secondly, a user may access a Thesaurus with Etymology Database, type in a single word, for example, a medical term, and receive a printout of related medical terms, each etymologically summarized on one line of text."

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

There is no “Thesaurus use” in the abstract of MacMillan, although he describes a specific Thesaurus with Etymology Database.

MacMillan, in his abstract, clearly fails to describe and show the results of claim 12 of definitions presented in pop up digital spaces.

Therefore the abstract of MacMillan lacks any suggestion that it should be modified in a manner required to meet claim 12.

Unappreciated Advantage: Up to now MacMillan and those skilled in the art never appreciated the advantages of claim 12 although it is inherent. Claim 12 produces the advantages of presenting definitions in pop up digital spaces in a method that is fast, efficient and convenient. These advantages did not exist as of the applicant’s filing date.

Poor Reference: MacMillan is a poor reference because his invention is vague, foreign to, and conflicts with claim 12. As mentioned MacMillan wrote, “it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created.”

MacMillan, by his own description, concedes that his invention is vague. MacMillan is entirely foreign to claim 12 because he does not show definitions at all. MacMillan conflicts with claim 12 because the definitions of the claim are very different than the primary etymology of his invention. Therefore the reference of MacMillan is weak and should be construed narrowly.

Lack of Implementation: If claim 12 were in fact obvious, because of its advantages, MacMillan and those skilled in the art surely would have implemented it as of the applicant’s filing date. The fact that MacMillan and those skilled in the art have not implemented claim 12, despite the great advantages of presenting definitions in pop up digital spaces, indicates that it is not obvious.

Misunderstood Reference: MacMillan does not teach what the O.A. relies upon it as supposedly teaching because he fails to teach the definitions of claim 12, much less presenting the definitions in pop up digital spaces.

Strained Interpretation: The O.A. has made a strained interpretation of MacMillan that could be made only in hindsight because MacMillan clearly does not show the definitions presented in pop up digital spaces of claim 12. Instead MacMillan shows the primary etymology for each word on a printout.

Solved Different Problem: Claim 12 solves a different problem than MacMillan. Claim 12 solves the problem of providing definitions in a fast, efficient, and convenient method using pop up digital spaces. MacMillan solves the different problem of providing the primary etymology for each word using printouts.

No Convincing Reason: The O.A. has not presented a convincing line of reasoning as to why the subject matter of claim 12 as a whole, including its differences over MacMillan, would have been obvious. MacMillan clearly fails to show the unique results of claim 12 in which definitions are presented in pop up digital spaces.

Therefore the applicant submits that new claim 12 produces valuable new, unexpected, and different results and hence is unobvious and patentable over MacMillan under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 12 is a fortiori patentable and should also be allowed.

The Dependent Claim 3, Now New Dependent Claim 13, Is A Fortiori Patentable Over MacMillan

New claim 13 incorporates all the subject matter of new claim 11 and adds additional subject matter which makes new claim 13 a fortiori and independently patentable over MacMillan.

Claim 3 is canceled and replaced by new claim 13.

Claim 3 is rewritten as new claim 13 for the reasons discussed in the above heading “The Rejections of Claims 1 to 10 Overcome Under § 112”.

New claim 13 amends claim 3 for the reasons from referred claim 11 discussed in the above heading “The Rejection of Independent Claim 1, Now New Independent Claim 11, Overcome Under § 112”.

Lastly new claim 13 amends canceled claim 3 with the accompanying reasons as follows:

1. The words “Claim 1” is deleted and replaced with the correct referred claim, “Claim 11” to make the claim clear, logical, and precise under § 112, second paragraph.
2. The words “can contain” is deleted and replaced by “presents” to make the claim clear, logical, and precise under § 112, second paragraph.
3. The word “relevent” is deleted to broaden the claim in concise language under § 112.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

4. The words “and moving images that help said computer users such as photographs, illustrations, paintings, charts, diagrams, films, videos, digital video works, animation, claymation, stop action, et cetera” are deleted to make the claim clear, logical, and precise under § 112, second paragraph, and to broaden the claim in concise language under § 112.

5. The phrase “that includes digital video when said cursor is placed over said word or phrase in said text.” is added to claim 13 to make the claim recite a function under § 112, sixth paragraph.

The applicant submits that new claim 13 amends canceled claim 3 to distinctly claim the subject matter, and to make the claim clear and understandable and requests reconsideration.

Therefore, the applicant solicits allowance of new claim 13 under 35 U.S.C. § 112.

The Rejection of Claim 3, Now New Claim 13, on MacMillan

Overcome Under § 102

The O.A. states “In regard to claim 3, MacMillan show a system and method for conveniently providing dictionary elements, wherein said pop up digital spaces can contain various relevant images and moving images that help said computer users such as photographs, illustrations, paintings, charts, diagrams, films, videos, digital video works, animation, claymation, stop action (print out is generated, col. 3).”

As mentioned claim 3 is canceled and replaced by new claim 13.

The reasons that new claim 13 is novel over MacMillan include those from referred new claim 11 discussed in the above heading, “The Rejection of Claim 1, Now New Claim 11, On MacMillan Overcome Under § 102”.

The applicant respectfully disagrees that MacMillan, in col. 3 regarding “print out is generated”, describes the **pop up digital spaces**, **various images**, and **digital video** of claim 13.

Instead MacMillan in col. 3, describes 8 times about **printouts** and the generating of printouts of **primary etymology** on only one line of **text** for each word.

Thus claim 13 recites the novel physical features of pop up digital spaces, various images, and digital video that distinguishes over MacMillan in col. 3 of his invention.

In addition new claim 13 recites novel physical features that distinguish over the invention of MacMillan for the following reasons:

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

1. Claim 13 is novel over MacMillan because his invention does not describe the **various images** of the claim.

Instead MacMillan describes only one line of **text** for each word in his invention. Thus the novel physical feature of various images of claim 13 distinguishes over MacMillan.

2. Claim 13 is novel over MacMillan because his invention does not describe the **digital video** from the claim.

Instead MacMillan describes the **primary etymology** on only one line of text for each word.

3. Claim 13 recites the **novel structure** of pop up digital spaces that presents various images including digital video when a cursor is placed over a word or phrase in a text.

MacMillan does not describe the novel structure of claim 13. Instead MacMillan describes primary etymology on only one line of text for each word on a printout.

From the reasons discussed, the applicant submits that new claim 13 clearly recites novel physical features that distinguish over MacMillan.

Therefore the applicant submits that new claim 13 is allowable over MacMillan and solicits reconsideration and allowance under 35 U.S.C. § 102.

New Claim 13 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103

These distinctions are submitted to be of patentable merit because the novel subject matter of new claim 13 is unobvious and hence even more patentable under § 103 since it adds additional subject matter over MacMillan, or any modification thereof.

The new and unexpected results for new claim 13 include those from referred new claim 11 discussed in the above heading “New Claim 11 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103”.

The applicant respectfully disagrees that “MacMillan shows a system and method for conveniently providing dictionary elements discussed above.” MacMillan does not show a system and method for conveniently providing dictionary elements recited in referred new claim 11 of new claim 13. The referred dictionary elements of new claim 13 are a **broad generic** result indicating that a myriad of different entry types of dictionary elements can be presented.

Instead MacMillan describes and shows the **specific primary etymology** result in his invention. He also provides a **specific Thesaurus Database** to show related words for presenting the primary etymology for each word. Thus MacMillan fails to show the **broad generic** results of the referred dictionary elements of claim 13.

The new and unexpected results that flow from the novel structure of new claim 13 are discussed in the following reasons:

Novelty: Claim 13 is different from MacMillan and all previously known counterparts because the pop up digital spaces of the claim presents various images that includes digital video is a novel method to learn about a word or phrase. Merely making a claim different may not appear to be an advantage per se, but it is usually a great advantage. This novel method of claim 13 did not exist as of the applicant's filing date. The novelty result of claim 13 is very different than MacMillan because he fails to show the novelty result.

Social Benefit: Claim 13 provides a greater social benefit than MacMillan because the various images of the claim such as digital video are a unique and helpful way to learn about a word or phrase. The various images such as digital video are extremely useful for the purposes of learning, knowledge, and education. The social benefit result of claim 13 is very different than MacMillan. In fact MacMillan wrote, "it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created." Thus MacMillan concedes that the very specific primary etymology of his invention on only one line of text for each word likely has a significantly smaller and limited social benefit.

Salability: Claim 13 is easier to sell and market than MacMillan because the various images of the claim such as digital video provide substantially more interesting information. The salability result of claim 13 is very different than MacMillan because his primary etymology on only one line of text for each word is staid and not popular. In fact MacMillan wrote, "However, the average person seldom consults the dictionary for etymological information." Thus MacMillan concedes his primary etymology is not popular, harder to sell and market, and likely has a limited salability result.

Appearance: Claim 13 produces a significantly better appearing design than MacMillan because the digital video of the claim is far more technologically advanced than a text result.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

The appearance result of claim 13 is very different than MacMillan because his results show only the familiar, standard text designs.

Viewability: Claim 13 relates to eye use and presents colorful, enlivening, and more viewable images than MacMillan because of the various images of the claim such as digital video. The viewability result of claim 13 is very different than MacMillan because his invention shows images in the text format of words on only one line. As mentioned MacMillan wrote, ““it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created.” Thus MacMillan shows a limited viewability result.

Market Size: Claim 13 has a potentially larger market size than MacMillan because the various images of the claim such as digital video are a more interesting subject matter when learning about a word or phrase. As a result this appeals to a larger market than MacMillan. The market size result of claim 13 is very different than MacMillan because his primary etymology on only one line of text for each word is mundane, and not as interesting as a digital video. Thus MacMillan likely has a small, limited market size result.

Potential Competition: The various images of claim 13 such as digital video is likely popular, cheap, and easy to manufacture that many imitators and copiers are likely to attempt to copy it or design around it, or try to break the patent as soon as it is brought out. The potential competition result of claim 13 is very different than MacMillan because his primary etymology on only one line of text is not popular, and is harder to manufacture with its numerous steps and parts. As mentioned MacMillan wrote, “However, the average person seldom consults the dictionary for etymological information.” Thus MacMillan likely has a very limited competition result.

Quality: Claim 13 produces a higher quality output than MacMillan because the various images of the claim such as digital video provide richer, more interesting information. The higher quality result of claim 13 is very different than MacMillan because his only one line of text output shows substantially less information. As mentioned MacMillan wrote, ““it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created.” Thus MacMillan concedes his invention shows poor quality results.

Excitement: Claim 13 is in an excitement category because the various images such as digital video enlivens and perhaps galvanizes the learning experience of a word or phrase. For example,

a digital video showing an exciting sports highlight for the phrase “squeeze bunt” augments the dictionary elements for the phrase. The excitement result of claim 13 is very different than MacMillan because his plain text result is not exciting. Also as mentioned MacMillan wrote, “However, the average person seldom consults the dictionary for etymological information.” Thus MacMillan implicitly concedes that his invention is not in an excitement category.

Markup: Since claim 13 is in an excitement category it can command a very high markup, a distinct selling advantage. The markup result of claim 13 is very different than MacMillan because his invention is not in an excitement category, and likely has no markup results.

New Use: Claim 13 has discovered a new use for the various images such as digital video because such images are presented in pop up digital spaces with the dictionary elements from referred claim 11. The new use result of claim 13 is very different than MacMillan because he fails to show the new use.

Long Life Cycle: Claim 13 likely has a longer life cycle than MacMillan because the various images of the claim such as digital video presented in pop up digital spaces can be made and sold for many years. The long life cycle result of claim 13 is very different than MacMillan because his invention heavily depends on a printer and a supply of paper. Thus the invention of MacMillan may become obsolete and likely has a limited life cycle result.

Related Product Addability: Claim 13 likely will usher in new product lines because many related products can be added such as photographs, illustrations, paintings, and animation. This is an important advantage with potentially enhanced profits. The addability result of claim 13 is very different than MacMillan because his very specific primary etymology on only one line of text for each word on a printout leaves practically no room to add new product lines. Thus MacMillan likely has a limited related product addability result.

Combination Products: Claim 13 is a combination product because the pop up digital spaces and the various images such as digital video groove well together. The combination product result of claim 13 is very different than MacMillan because his primary etymology on only one line of text is combined with a printout.

Broad Patent Coverage Available: Claim 13 likely will have broad patent coverage available if allowed and this will affect profitability. Since claim 13 is the only source that performs its

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

certain, unique functions, the claim will be able to charge more than if it were in a competitive situation. The broad coverage result of claim 13 is very different than MacMillan because the primary etymology on only one line of text for each word on a printout is so specific that his invention likely has limited patent coverage.

High Sales Anticipated: Claim 13 anticipates a high sales volume because the various images presented in pop up digital spaces when a cursor is placed over a word or phrase is relatively simple, cheap, and easy to market. The potential high sales result of claim 13 is very different than MacMillan because his invention is relatively complex, more expensive, and harder to market with its numerous steps and parts. Thus MacMillan likely does not have a high sales result.

Visibility of Invention in Final Product: Claim 13 is highly visible because the various images such as digital video are easy to see from its rich information. This will be a distinct marketing advantage to entice buyers who love the new. The high visibility result of claim 13 is very different than MacMillan because his primary etymology on only one line of text for each word on a printout shows a significantly lower visibility result.

Youth Market: Young people have substantial discretionary income and tend to spend more in many product areas than the rest of the population. Claim 13 will appeal to young people because computers are popular with this market. The various images such as digital video of claim 13 are very useful for young people to learn about a word or phrase. The various images of claim 13 are important for the purposes of learning, knowledge, and education. Claim 13 is valuable because higher education is often a priority of young people. Claim 13 likely will command more sales of the youth market than the staid, static primary etymology of MacMillan. As a result the large potential youth market result of claim 13 is very different than MacMillan and his likely small youth market.

**New Claim 13 Is Unobvious Over MacMillan Under § 103 for the
Following Additional Reasons:**

The reasons that new claim 13 is unobvious include those from referred new claim 11 discussed in the above heading "New Claim 11 is Unobvious Over MacMillan Under § 103 for the
Following Additional Reasons:"

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

The additional reasons that new claim 13 is unobvious are as follows:

Synergism: The results achieved by claim 13 are greater than the sum of the separate results of its parts. The digital video of claim 13 produces a greater result than the results of its separate parts of pop up digital spaces, a cursor, and a word or phrase in a text. In addition the combination of digital video and pop up digital spaces cooperate to increase the overall learning of a word or phrase, a synergistic effect. The synergism results of claim 13 are very different than MacMillan. The primary etymology of MacMillan on only one line of text for each word on a printout are so puny than the sum of his numerous steps, parts, sequences, detailed flowchart steps, and elements. Also MacMillan heavily depends on a printer and a supply of paper. Thus the synergisms of claim 13 produces disproportionately more results than MacMillan's puny results.

Different Combination: The combination of claim 13 had not been previously created as of the applicant's filing date. The combination of claim 13 of pop up digital spaces and the various images such as digital video is very different than the combination of MacMillan. MacMillan shows a combination of primary etymology on only one line of text and a printout. The only one line of text of MacMillan is so far different from the digital video of claim 13 that his invention must be regarded as different from that of claim 13.

Unexpected Results: The results achieved by claim 13 are new, unexpected, superior, disproportionate, unsuggested, unusual, critical and surprising over MacMillan. The various images such as digital video of claim 13 provide a fast, convenient, and unique method to learn about a word or phrase. MacMillan does not show any images at all except for the text, much less a digital video. Thus MacMillan fails to show the unexpected results of claim 13.

Unrecognized Problem: The problem solved by claim 13 was never before even recognized. The various images such as digital video solve the unrecognized problem of learning about a word or phrase presented in pop up digital spaces. The solution produced by claim 13 did not exist as of the applicant's filing date. MacMillan fails to recognize the problem solved by claim 13 because he does not show any images except for the text, much less a digital video. The recognition of an unrecognized problem by claim 13 militates in favor of patentability.

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Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Omission of Elements: MacMillan describes the different elements of very specific primary etymology, the very specific element of only one line of text for each word, and the very specific sole dependence on a printout output. These elements of MacMillan are omitted in claim 13. The omission of these elements in claim 13 shows it is simpler yet more informative than MacMillan without loss of capability.

Unsuggested Modification: MacMillan lacks any suggestion that his invention should be modified in the following manner required to meet claim 13.

The O.A. states “In regard to claim 3, MacMillan show a system and method for conveniently providing dictionary elements, wherein said pop up digital spaces can contain various relevant images and moving images that help said computer users such as photographs, illustrations, paintings, charts, diagrams, films, videos, digital video works, animation, claymation, stop action (print out is generated, col. 3).”

As mentioned claim 3 is canceled and replaced by new claim 13.

MacMillan at col. 3 does not describe and show the pop up digital spaces that present various images such as digital video of claim 13. MacMillan at col. 3 also does not describe and show the function of claim 13 of when a cursor is placed over a word or phrase for the pop up digital spaces to appear.

Instead MacMillan, regarding printout is generated at col. 3, wrote 7 times about printouts although the phrase “is generated” was never written at col.3. The 7 printouts at col. 3 show the only one line of text for each inputted word. The printouts at col. 3 of MacMillan fail to describe and show the various images of claim 13 such as digital video.

Therefore MacMillan, and his printouts at col. 3, lacks any suggestion that his invention should be modified in a manner required to meet claim 13.

Unappreciated Advantage: Up to now MacMillan and those skilled in the art never appreciated the advantages of claim 13, although it is inherent. The advantages of claim 13, of various images such as digital video presented in pop up digital spaces, to learn about a word or phrase did not exist as of the applicant’s filing date.

Poor Reference: MacMillan is a poor reference because his invention is vague, foreign to, and conflicts with claim 13. As mentioned MacMillan wrote, “it is, of course, obvious that a great

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

deal of information will be lost and that many inaccuracies and ambiguities will be created.” MacMillan, by his own description, concedes that his invention is vague. MacMillan is entirely foreign to claim 13 because he does not describe and show the various images of the claim such as digital video. MacMillan conflicts with claim 13 because the various images of the claim such as digital video are very different than his result of only one line of text for each word. The reference of MacMillan is therefore weak and should be construed narrowly.

Lack of Implementation: If claim 13 were in fact obvious, because of its advantages MacMillan and those skilled in the art surely would have implemented it as of the applicant’s filing date. The fact that MacMillan and those skilled in the art have not implemented the various images such as digital video of claim 13, despite its great advantages, indicates that it is not obvious.

Misunderstood Reference: MacMillan does not teach what the O.A. relies upon it as supposedly teaching because he fails to teach the various images of claim 13, much less a digital video. The minor exception is his only one line of text results.

Contrarian Invention: Claim 13 is contrary to the teachings of MacMillan because the various images presented in pop up digital spaces of the claim such as digital video, goes against the grain of what he teaches. Rather MacMillan teaches obtaining the primary etymology on only one line of text for each word on a printout.

Strained Interpretation: The O.A. has made a strained interpretation of MacMillan that could be made only by hindsight because his invention clearly does not show the various images at all of claim 13, much less a digital video.

Solved Different Problem: Claim 13 solves a different problem than MacMillan, and such different problem is recited in the claim. Claim 13 solves the problem of learning about a word or phrase by presenting various images such as digital video in pop up digital spaces. MacMillan solves the very different problem of showing the primary etymology of each word on only one line of text on a printout.

No Convincing Reason: The O.A. has not presented a convincing line of reasoning as to why the subject matter of claim 13 as a whole, including its differences over MacMillan, would have

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

been obvious. MacMillan clearly does not show the various images of claim 13 such as digital video presented in pop up digital spaces.

Reference Isn't From Same Field: MacMillan is from a different field than claim 13.

MacMillan describes his field as, "This invention relates to etymology, the study of the history and origin of words." The field of claim 13 is, "This invention relates to the field of computers, specifically the creation of digital text and images on a computer screen." MacMillan and claim 13 are from different fields because MacMillan's field does not mention any machines or devices. The field of claim 13 mentions machines and devices like computers, digital text and images, and a computer screen. Also MacMillan's field does not mention digital images, which includes the digital video of claim 13. Thus the invention of MacMillan clearly is not from the same field as claim 13.

Therefore the applicant submits that new claim 13 produces valuable new, unexpected, and different results and hence is unobvious and patentable over MacMillan under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 13 is a fortiori patentable and should also be allowed.

The Dependent Claim 9, Now New Dependent Claim 19, Is A Fortiori Patentable Over MacMillan

New claim 19 incorporates all the subject matter of new claim 11 and adds additional subject matter which makes new claim 19 a fortiori and independently patentable over MacMillan.

Claim 9 is canceled and replaced by new claim 19.

Claim 9 is rewritten as new claim 19 for the reasons discussed in the above heading "The Rejections of Claims 1 to 10 Overcome Under § 112".

New claim 19 amends claim 9 for the reasons from referred claim 11 discussed in the above heading "The Rejection of Independent Claim 1, Now New Independent Claim 11, Overcome Under § 112".

Lastly new claim 19 amends canceled claim 9 with the accompanying reasons as follows:

1. The words "Claim 1" is deleted and replaced by the correct referred claim, "Claim 11" to make the claim clear, logical, and precise under § 112, second paragraph.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

2. The words “or dialect” is deleted to make the claim clear, logical, and precise under § 112, second paragraph, and to broaden the claim in concise language under § 112.

The applicant submits that new claim 19 amends canceled claim 9 to distinctly claim the subject matter, and to make the claim clear and understandable and requests reconsideration.

Therefore the applicant solicits allowance of new claim 19 under 35 U.S.C. § 112.

The Rejection of Claim 9, Now New Claim 19, on MacMillan

Overcome Under § 102

The O.A. states, in regards to claim 9, “MacMillan show a system and method for conveniently providing dictionary elements, wherein a language or dialect used in said pop up digital spaces can be different from the language used in said text...(Fig. 1).”

Fig. 1 of MacMillan shows a sample page from the Language Database. Fig. 1 shows a list of English words, with the primary etymology for each word. Next to each English word, there is the Greek etymology origin that was adapted into English after 1100. All the words in Fig. 1 are written in the English language with the exception of the Greek origins that are also spelled in the archaic Greek alphabet.

As mentioned claim 9 is canceled and replaced by new claim 19.

The reasons that new claim 19 is novel over MacMillan include those from referred new claim 11 discussed in the above heading, “The Rejection of Claim 1, Now New Claim 11, On MacMillan Overcome Under § 102”.

The applicant respectfully disagrees that MacMillan at Fig. 1 shows the novel physical structure of new claim 19.

MacMillan at Fig. 1 does not show a system and method for conveniently providing dictionary elements recited from referred new claim 11 of new claim 19. The dictionary elements of new claim 19 are a **broad generic** feature indicating that any entry types of dictionary elements can be presented.

Instead MacMillan describes the **specific primary etymology** feature in his invention. He also describes a **specific Thesaurus Database** to show related words for presenting the primary etymology for each word. Thus MacMillan fails to describe the **broad generic** feature of dictionary elements of claim 19.

Also MacMillan at Fig. 1 does not show that a **language** used in pop up digital spaces can be **different** from the **language** used in the text from claim 19.

Instead MacMillan at Fig. 1 shows a sample page from the Language Database with the primary etymology from the just **one English language** point of view for each word. Thus new claim 19 recites a novel physical structure of two different languages that distinguishes over MacMillan at Fig. 1.

In addition new claim 19 recites novel physical features that distinguish over the invention of MacMillan for the following reasons:

1. Claim 19 is novel over MacMillan because his invention does not describe the **generically** recited element of two different languages of claim 19. Instead MacMillan describes the just one **specific** English language point of view in his invention.

MacMillan frequently describes the study of the **specific** English language in his invention and two examples are quoted here.

MacMillan wrote, "It is also useful for children and adolescents learning **English** as well as to non-English speaking foreigners trying to unravel the mysteries of the language."

He also wrote, "It enables one to clearly see the principle features of **English** words individually and the **English** language as a whole."

Thus the **generically** recited two different languages of claim 19 are novel physical features that distinguish over MacMillan and his **specific**, linguistically one-dimensional, and one-sided English language point of view.

2. Claim 19 is novel over MacMillan because his invention does not describe a language used in pop up digital spaces that can be **different** from the language used in the text.

Instead MacMillan describes the **same** specific English language in both the words inputted into a search box and on the printouts.

Thus the two **different** languages of claim 19 recite novel physical features that distinguish over MacMillan because he describes the **same** specific English language throughout his invention.

3. Claim 19 is novel over MacMillan because the two different languages of the claim are used in **two** separate features that are novel over MacMillan's features. The first feature of claim 19 is

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

the pop up digital spaces and the second feature is the text. MacMillan does not describe the two different languages used in the two separate features of pop up digital spaces and the text. Instead MacMillan describes the just one specific English language that is used in **both** the features of inputting words into a search box, and of printout outputs. Thus claim 19 recites novel physical features that distinguish over MacMillan.

4. Claim 19 is novel over MacMillan because the claim has options that is recited as, “a language used in pop up digital spaces **can be** different from the language used in the text.” An example of an option from claim 19 is that the pop up digital spaces can show a mix of the language used from the text plus a different language, to facilitate the learning of a word or phrase.

MacMillan does not describe the options of claim 19 from the novel physical feature, “**can be** different from the language used in the text.” Instead MacMillan describes the just one specific English language that is **used throughout** his invention. Thus claim 19 recites a novel physical feature that distinguishes over MacMillan.

From the reasons discussed, the applicant submits that new claim 19 clearly recites novel physical features that distinguish over MacMillan.

Therefore the applicant submits that new claim 19 is allowable over MacMillan and solicits reconsideration and allowance under 35 U.S.C. § 102.

New Claim 19 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103

These distinctions are submitted to be of patentable merit because the novel subject matter of new claim 19 is unobvious and hence even more patentable under § 103 since it adds additional subject matter over MacMillan, or any modification thereof.

The new and unexpected results for new claim 19 include those from new claim 11 discussed in the above heading “New Claim 11 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103”.

The applicant respectfully disagrees that “MacMillan shows a system and method for conveniently providing dictionary elements discussed above.” MacMillan does not show a

system and method for conveniently providing dictionary elements recited in referred new claim 11 of new claim 19. The referred dictionary elements of new claim 19 are a **broad generic** result indicating that a myriad of different entry types of dictionary elements can be presented. Instead MacMillan describes and shows the **specific primary etymology** result in his invention. He also provides a **specific Thesaurus Database** to show related words for presenting the primary etymology for each word. Thus MacMillan fails to show the **broad generic** results of the referred dictionary elements of claim 19.

The new and unexpected results that flow from the novel structure of new claim 19 are discussed in the following reasons:

Novelty: The method of claim 19 is different than MacMillan and all previously known counterparts. The language of claim 19 used in pop up digital spaces that can be different than the language in the text, did not exist as of the applicant's filing date. Merely making a claim different may not appear to be an advantage per se, but it is usually a great advantage. Claim 19 provides an alternative method for doing the job in case MacMillan and the previously known counterparts ever encounter difficulties. The two different languages of claim 19 are a novel method to learn about a word or phrase in a different language. In contrast MacMillan shows the just one specific English language throughout his invention.

Social Benefit: Claim 19 is a fast, efficient, and convenient method to learn about a word or phrase in a different language. The learning of a different language of claim 19 provides the social benefits of learning, knowledge, and education. The social benefits result of claim 19 is very different than MacMillan because his invention shows no learning of a different language. Instead MacMillan shows the just one specific English language throughout his invention.

Salability: Claim 19 likely is easier to sell and market than MacMillan because the two different languages of the claim are common to many people and meets the needs of the everyday market. The salability result of claim 19 is very different than MacMillan because his just one specific English language showing primary etymology entails a significantly smaller market. Thus MacMillan likely has a limited salability result.

Viewability: Claim 19 relates to eye use and its two different languages are easy to see. The viewability result of claim 19 is very different than MacMillan because his invention does not

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

show two different languages at all, and instead shows the just one specific English language throughout his invention. Thus MacMillan has a less viewability result.

Market Size: Claim 19 potentially has a larger market size than MacMillan because the two different languages of the claim are common and likely popular to the needs of a large market. The market size result of claim 19 is very different than MacMillan because the just one specific English language likely has a smaller market size result.

Quality: Claim 19 produces a higher quality output than MacMillan because the two different languages of the claim provide a multilingual output which results in a richer dualistic quality. The quality result of claim 19 is very different than MacMillan because his invention shows the just one specific English language throughout, and thus has a lower quality output result.

Markup: Claim 19 is different, novel, and innovative because it provides two different languages in a unique method using pop up digital spaces and the text. The two different languages of claim 19 can command a very high markup, a distinct selling advantage. The markup result of claim 19 is very different than MacMillan because his invention shows the just one specific English language, and likely has a limited markup result.

New Use: Claim 19 has discovered a new use for the two different languages. Claim 19 produces the new use of presenting the first language in the text, and the second different language is presented in pop up digital spaces. The new use result of claim 19 is very different than MacMillan because he fails to show the new use.

Miscellaneous: MacMillan describes foreign languages in his invention. The foreign languages of MacMillan are implemented as the origins of the primary etymology for the just one specific English language point of view. For example at col. 3, 1st paragraph, he describes “A Language Database consisting of English words grouped according to their etymological origin:” and then wrote 43 foreign languages as the possible etymology origins. The foreign languages of MacMillan that are used within the narrow context as etymology origins for the just one specific English language are very different than claim 19. The two different languages of claim 19 both provide dictionary elements of a word or phrase, and are presented side-by-side in pop up digital spaces and in the text. Thus claim 19 produces multilingual results that are not shown by MacMillan.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Claim 19 provides options because the language used in pop up digital spaces can be different from the language used in the text. The most likely option is that the language used in pop up digital spaces shows a different language as well as the same language used in the text. This option allows for a mixture of two different languages that are presented in pop up digital spaces, to make learning about a word or phrase in a different language easy and convenient. This miscellaneous result of claim 19 is very different than MacMillan because his invention fails to show the options result.

Furthermore the pop up digital spaces of claim 19 are very different than MacMillan and the interactive search macros of his invention because: (1) the pop up digital spaces of claim 19 is a result. MacMillan's interactive search macros are a step in a series of steps, and are not a result. (2) the pop up digital spaces of claim 19 presents a different second language. MacMillan's interactive search macro "window" is brought up for words to be inputted, so that the next steps can begin.

Related Product Addability: Claim 19 likely will usher in new product lines because the two different languages of the claim can add many related products such as any two different languages. Also the artifacts, music, and cultural products related to a language can be added in the pop up digital spaces. These are important advantages of claim 19 with potentially enhanced profits. The addability results of claim 19 are very different than MacMillan because his invention shows the just one specific English language, and thus likely has a limited or no related product addability result.

Satisfies Existing Need: Claim 19 satisfies an existing, recognized need because the two different languages are presented side by side in a fast, efficient, and convenient method. Thus claim 19 provides multilingual learning of a word or phrase. The existing need result of claim 19 is very different than MacMillan because his invention shows the just one specific English language point of view. As a result MacMillan fails to satisfy the existing, recognized need for multilingual learning of a word or phrase.

Combination Products: Claim 19 is a combination product because the two different languages presented in pop up digital spaces and in the text groove well together. The combination product

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

result of claim 19 is very different than MacMillan because his invention shows the just one specific English language point of view that is combined with primary etymology on printouts.

Broad Patent Coverage Available: Claim 19 likely will have broad patent coverage available if allowed and this will affect profitability. Claim 19 produces a language in the text and a second different language in pop up digital spaces. These functions of claim 19 did not exist as of the applicant's filing date. Since claim 19 is the only source which performs its certain, unique functions, the claim will be able to charge more than if it were in a competitive situation. The coverage result of claim 19 is very different than MacMillan because his invention provides very specific primary etymology on only one line of text in the just one specific English language for each word on a printout. Thus MacMillan likely has a limited patent coverage result.

Visibility of Invention in Final Product: Claim 19 is highly visible because two different languages are presented side by side in pop up digital spaces and in the text. This will be a distinct marketing advantage to entice buyers. The visibility result of claim 19 is very different than MacMillan because his invention shows the just one specific English language on only one line of text for each word on a printout. Thus MacMillan has a lower visibility result than claim 19.

Youth Market: Young people have substantial discretionary income and tend to spend more in many product areas than the rest of the population. Claim 19 will appeal to young people because computers are popular with this market. The two different languages of claim 19 are very useful for young people to learn about a word or phrase in a different language. The two different languages of claim 19 are important for the purposes of learning, knowledge and education. The multilingual result of claim 19 is valuable because higher education is often a priority of young people. Claim 19 may command more sales of the youth market than the staid, static primary etymology in the just one specific English language of MacMillan. The youth market result of claim 19 is very different than MacMillan because his invention fails to provide multilingual learning, and thus likely has a smaller youth market result.

New Claim 19 Is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

The reasons that new claim 19 is unobvious include those from referred new claim 11 discussed in the above heading “New Claim 11 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:”

The additional reasons that new claim 19 is unobvious are as follows:

Synergism: The results achieved by claim 19 of two different languages presented side by side are greater than the sum of the separate results of its parts. The parts of claim 19 are the pop up digital spaces and the text. Also the parts of claim 19 cooperate together to increase the overall learning of a word or phrase in a different language, a synergistic effect. The synergism results of claim 19 are very different than MacMillan because his result of primary etymology on only one line of text for each word in the just one specific English language is so puny. The puny result of MacMillan is far less than the sum of the numerous steps, parts, detailed flowchart steps, sequences, and elements of his invention. Thus the synergisms of claim 19 produce disproportionately more results than MacMillan’s puny results.

Different Combination: The combination of claim 19 had not been previously created as of the applicant’s filing date. Claim 19 produces the combination of pop up digital spaces, text, and the two different languages. MacMillan shows the different combination of primary etymology, printouts, and the just one specific English language point of view. The just one specific language of MacMillan is so far different than the two different languages of claim 19 that his invention must be regarded as very different from that of claim 19.

Unexpected Results: The results achieved by claim 19 are new, unexpected, superior, disproportionate, unsuggested, unusual, critical, and surprising over MacMillan and the prior art as of the applicant’s filing date. Claim 19 present two different languages side by side using pop up digital spaces in a fast and convenient method. The unexpected results of claim 19 are very different than MacMillan because he fails to show the two different languages of the claim, and instead shows the just one specific English language point of view throughout his invention.

Omission of Elements: MacMillan describes the different elements of the just one specific English language point of view and the very specific sole dependence on a printout. These elements of MacMillan are omitted in claim 19.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Unsuggested Modification: MacMillan lacks any suggestion that his invention should be modified in the following manner required to meet claim 19.

The O.A. states “MacMillan show a system and method for conveniently providing dictionary elements, wherein a language or dialect used in said pop up digital spaces can be different from the language used in said text...(Fig. 1)”

MacMillan at Fig. 1 does not describe and show a language of claim 19 used in pop up digital spaces can be different than the language used in the text.

Instead MacMillan at Fig. 1 describes and shows a sample page from the Language Database with the primary etymology written in the just **one specific** English language point of view.

MacMillan at Fig. 1 is very different than claim 19 because it presents **two different** languages in a unique method. Thus MacMillan fails to describe and show the two different languages of claim 19.

Therefore MacMillan at Fig. 1 lacks any suggestion that his invention should be modified in a manner required to meet claim 19.

Unappreciated Advantage: Up to now MacMillan and those skilled in the art never appreciated the advantages of claim 19, although it is inherent. Claim 19 presents two different languages in a fast, convenient, and unique method. These are advantages of claim 19 over MacMillan and those skilled in the art that did not exist as of the applicant’s filing date.

Poor Reference: The invention of MacMillan is vague because he concedes that “it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created.” MacMillan is entirely foreign to claim 19 because his invention does not present two different languages at all using pop up digital spaces. Also the two different languages of claim 19 conflicts with MacMillan because his invention shows the just one specific English language point of view throughout his invention. The reference of MacMillan is vague, entirely foreign to, and conflicts with claim 19, and therefore is weak and should be construed narrowly.

Lack of Implementation: If claim 19 were in fact obvious, because of its advantages, MacMillan and those skilled in the art surely would have implemented the claim as of the applicant’s filing date. The fact that MacMillan and those skilled in the art have not

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

implemented claim 19 despite its great advantages of presenting two different languages in a fast, convenient, and unique method indicates that it is not obvious.

Misunderstood Reference: MacMillan does not teach what the O.A. relies upon it as supposedly teaching. MacMillan does not teach that a language of claim 19 used in pop up digital spaces can be different from the language used in the text. Instead MacMillan teaches the just one specific English language point of view, and thus is a misunderstood reference of claim 19.

Solution of Long-Felt and Unsolved Need: Claim 19 solves a long felt, long existing, but unsolved need because it provides a fast, convenient, and unique method to learn about a word or phrase in a different language using pop up digital spaces. MacMillan fails to provide a solution to this long felt and long existing need for multilingual learning because his invention shows the just one specific English language point of view.

Contrarian Invention: Claim 19 is contrary to the teachings of MacMillan. Claim 19 goes against the grain of what MacMillan teaches because the claim presents two different languages, rather than the just one specific English language point of view used in his invention.

Strained Interpretation: The O.A. has made a strained interpretation of MacMillan that could be made only by hindsight because MacMillan clearly does not show the two different languages of claim 19. Instead MacMillan shows the just one specific English language point of view throughout his invention.

Solved Different Problem: Claim 19 solves a different problem than MacMillan, and such different problem is recited in the claim. Claim 19 solves the problem of learning about a word or phrase in a different language using pop up digital spaces. MacMillan solves the very different problem of providing primary etymology in the just one specific English language point of view on printouts.

No Convincing Reasoning: The O.A. has not presented a convincing line of reasoning as to why the subject matter of claim 19 as a whole, including its differences over MacMillan, would have been obvious. MacMillan clearly does not show the two different languages of claim 19. Instead MacMillan shows the just one specific English language point of view throughout his invention.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Therefore the applicant submits that new claim 19 produces valuable new, unexpected, and different results and hence is unobvious and patentable over MacMillan under 35 U.S.C § 103, and solicits reconsideration..

Accordingly the applicant submits that new dependent claim 19 is a fortiori patentable and should also be allowed.

The Dependent Claim 10, Now New Dependent Claim 20, Is A Fortiori Patentable Over MacMillan

New claim 20 incorporates all the subject matter of new claim 11 and adds additional subject matter which makes new claim 20 a fortiori and independently patentable over MacMillan.

Claim 10 is canceled and replaced by new claim 20.

Claim 10 is rewritten as new claim 20 for the reasons discussed in the above heading “The Rejections of Claims 1 to 10 Overcome Under § 112”.

New claim 20 amends claim 10 for the reasons from referred new claim 11 discussed in the above heading “The Rejection of Independent Claim 1, Now New Independent Claim 11, Overcome Under § 112”.

Lastly new claim 20 amends canceled claim 10 with the accompanying reasons as follows:

1. The words “Claim 1” is deleted and replaced by the correct referred claim, “Claim 11” to make the claim clear, logical, and precise under § 112, second paragraph.
2. The words “said language” is deleted and replaced with the proper antecedent words “a language” to make the claim clear, logical, and precise under § 112, second paragraph.
3. The words “or dialect” is deleted to make the claim clear, logical, and precise under § 112, second paragraph, and to broaden the claim in concise language under § 112.
4. The words “the language” is deleted and replaced with the proper antecedent words “said language” to make the claim clear, logical, and precise under § 112, second paragraph.
5. The phrase “any and all the languages in the world” is deleted and replaced by the phrase “a multitude of languages.” to make the claim clear, logical, and precise under § 112, second paragraph, and to eliminate the prolixity of excessive wordiness under § 112.

The applicant submits that new claim 20 amends canceled claim 10 to distinctly claim the subject matter and to make the claim clear and understandable, and requests reconsideration.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Therefore the applicant solicits allowance of new claim 20 under 35 U.S.C. § 112.

The Rejection of Claim 10, Now New Claim 20, on MacMillan

Overcome Under § 102

The O.A. states, in regards to claim 10, “MacMillan show a system and method for conveniently providing dictionary elements, wherein...the language used in said text can be any and all the languages in the world (Fig. 1).”

MacMillan at Fig. 1 shows a sample page from the Language Database. Fig. 1 shows a list of English words with the primary etymology for each word. Next to each English word, there is the Greek etymology origin that was adapted into English after 1100. All the words at Fig. 1 are written in the English language, with the exception of the Greek origins that are also spelled in the archaic Greek alphabet.

As mentioned claim 10 is canceled and replaced by new claim 20.

The reasons that new claim 20 is novel over MacMillan include those from referred new claim 11 discussed in the above heading, “The Rejection of Claim 1, Now New Claim 11, On MacMillan Overcome Under § 102”.

The applicant respectfully disagrees that MacMillan at Fig. 1, describes the novel physical structure of new claim 20.

MacMillan at Fig. 1 does not show a system and method for conveniently providing dictionary elements recited from referred new claim 11 of new claim 20. The dictionary elements of new claim 20 are a **broad generic** feature indicating that any entry types of dictionary elements can be presented.

Instead MacMillan describes the **specific primary etymology** feature in his invention. He also describes a **specific Thesaurus Database** to show related words for presenting the primary etymology for each word. Thus MacMillan fails to describe the **broad generic** feature of dictionary elements of claim 20.

Also MacMillan at Fig. 1 does not describe a language of claim 20 in pop up digital spaces and a language in a text can be a **multitude** of languages.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Instead, as mentioned, MacMillan at Fig. 1 shows a drawing of English words in a sample page from the Language Database written in the just **one specific English** language point of view. Thus claim 20 recites a novel physical structure that distinguishes over MacMillan at Fig. 1. In addition new claim 20 recites novel physical features that distinguish over the invention of MacMillan for the following reasons:

1. Claim 20 is novel over MacMillan because the claim recites a **multitude** of languages. MacMillan does not describe the multitude of languages of claim 20. Instead MacMillan describes the just **one specific English** language point of view throughout his invention.
2. Claim 20 is novel over MacMillan because the claim recites a multitude of languages used in **pop up digital spaces**. MacMillan does not describe the pop up digital spaces of claim 20. Instead MacMillan describes the use of **printouts** as the only output feature.
3. Claim 20 is novel over MacMillan because the claim twice **generically** recites the language feature. MacMillan does not describe the generic features of the languages of claim 20. Instead MacMillan describes the just **one specific English** language point of view throughout his invention. For example MacMillan describes, "It is also useful for children and adolescents learning English as well as to non-English speaking foreigners trying to unravel the mysteries of the language." For another example, MacMillan describes, "It enables one to clearly see the principle features of English words individually and the English language as a whole." Thus the **generically** recited languages of claim 20 distinguish over MacMillan and his **specific**, linguistically one-dimensional, and one-sided English language point of view.

From the reasons discussed, the applicant submits that new claim 20 clearly recites novel physical features that distinguish over MacMillan.

Therefore the applicant submits that new claim 20 is allowable over MacMillan and solicits reconsideration and allowance under 35 U.S.C. § 102.

New Claim 20 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103

These distinctions are submitted to be of patentable merit because the novel subject matter of new claim 20 is unobvious and hence even more patentable under § 103 since it adds additional subject matter over MacMillan, or any modification thereof.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

The new and unexpected results for new claim 20 include those from referred new claim 11 discussed in the above heading “New Claim 11 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103”.

The applicant respectfully disagrees that “MacMillan shows a system and method for conveniently providing dictionary elements discussed above.” MacMillan does not show a system and method for conveniently providing dictionary elements recited in referred new claim 11 of new claim 20. The referred dictionary elements of new claim 20 are a **broad generic** result indicating that a myriad of different entry types of dictionary elements can be presented. Instead MacMillan describes and shows the **specific primary etymology** result in his invention. He also provides a **specific Thesaurus Database** to show related words for presenting the primary etymology for each word. Thus MacMillan fails to show the **broad generic** results of the referred dictionary elements of claim 20.

The new and unexpected results that flow from the novel structure of new claim 20 are discussed in the following reasons:

Novelty: Claim 20 is very different than MacMillan and all previously known counterparts because a multitude of languages of the claim are presented in a fast, convenient, and novel method. Merely making a claim different may not appear to be an advantage per se, but it is usually a great advantage. The multitude of languages of claim 20 used in pop up digital spaces and the text did not exist as of the applicant’s filing date. Instead MacMillan shows the just one specific English language point of view throughout his invention. Thus MacMillan and the previous counterparts fail to show the novelty results of a multitude of languages in the method of claim 20, much less using them in pop up digital spaces.

Social Benefit: Claim 20 is a fast and convenient method to learn about a word or phrase in a multitude of languages. Claim 20 is important for the purposes of learning, knowledge, and education. The social benefit results of claim 20 are very different than MacMillan because his invention fails to show the benefit of learning in a multitude of languages. Instead MacMillan shows the just one specific English language point of view throughout his invention.

Viewability: Claim 20 relates to eye use and presents more viewable images than MacMillan because a multitude of languages are presented in the pop up digital spaces and in the text of the

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

claim. Claim 20 presents rich and informative viewable results from the multitude of languages. The viewability results of claim 20 are very different than MacMillan because his invention shows the just one specific English language point of view on printouts, and thus has a significantly less viewability result.

Market Size: Claim 20 likely has a greater potential market size than MacMillan because of the multitude of languages is common to the needs of a large market. The market size result of claim 20 is very different than MacMillan because the just one specific English language of his invention likely has a small market size result.

Quality: Claim 20 produces a higher quality output than MacMillan because a multitude of languages of the claim presents great multilingual information. The multitude of languages of claim 20 is presented as dictionary elements that are of high quality. The quality result of claim 20 is very different than MacMillan. The just one specific English language of MacMillan of primary etymology fails to show the rich multilingual information of claim 20, and thus has a substantially lower quality result.

New Use: Claim 20 has discovered a new use of a multitude of languages. Claim 20 produces a new use of a multitude of languages by presenting them side by side in pop up digital spaces and in the text, in a new method that is fast and convenient. The new use result of claim 20 is very different than MacMillan because his invention fails to show the new use, much less a multitude of languages.

Miscellaneous: Claim 20 is very different than MacMillan because a multitude of a result is vastly more significant than a just one specific of a result, the result being the language. Claim 20 presents a multitude of languages, and in contrast MacMillan presents the just one specific English language point of view.

MacMillan wrote about foreign languages in his invention. The foreign languages of MacMillan are used within the narrow context as etymology origins for the just one specific English language point of view. This result of MacMillan is very different than claim 20 because the multitude of languages of the claim provides dictionary elements of a word or phrase that are presented side-by-side in pop up digital spaces and in the text. Thus claim 20 produces multilingual results that are not shown by MacMillan.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Furthermore the pop up digital spaces of claim 20 are very different than MacMillan and the interactive search macros of his invention because: (1) the pop up digital spaces of claim 20 is a result. MacMillan's interactive search macros are a step in a series of steps, and are not a result. (2) the pop up digital spaces of claim 20 provides a multitude of languages. MacMillan's interactive search macro "window" is brought up for words to be inputted, so that the next steps can begin.

Related Product Addability: Claim 20 likely will usher in new product lines. Many related products from a multitude of languages can be added, such as from the Latin, Spanish, and French languages. Also the related artifacts, music, and cultural products from a language can be added in the pop up digital spaces of the claim. These are important advantages of claim 20 with potentially enhanced profits. The addability results of claim 20 are very different than MacMillan because his invention shows the just one specific English language point of view, and thus likely has a significantly less product addability result.

Satisfies Existing Need: Claim 20 will satisfy an existing, recognized need because a multitude of languages are presented in a method that is fast and convenient. Claim 20 makes the learning about a word or phrase easy in a multitude of languages. The existing need result of claim 20 is very different than MacMillan because his invention shows the just one specific English language point of view. Thus MacMillan fails to satisfy the existing, recognized need for learning about a word or phrase in a multitude of languages.

Combination Products: Claim 20 is a combination product because a multitude of languages are combined with pop up digital spaces and a text and these functions groove well together. The combination product result of claim 20 is very different than MacMillan. MacMillan shows a different product using the just one specific English language point of view that is combined with primary etymology and printouts.

Broad Patent Coverage Available: Claim 20 likely will have broad patent coverage available if allowed and this will affect profitability. Claim 20 produces a multitude of languages that are not shown by MacMillan and the prior art as of the applicant's filing date. Since claim 20 is the only source that performs its certain functions, the claim will be able to charge more than if it were in a competitive situation. The broad coverage result of claim 20 is very different than

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

MacMillan because his invention provides the very specific result of primary etymology on only one line of text for each word in the just one specific English language point of view on printouts. Thus MacMillan is so specific that it likely has a limited patent coverage result.

Visibility of Invention in Final Product: Claim 20 is highly visible because a multitude of languages are presented side by side in pop up digital spaces and the text. The high visibility of the claim will be a distinct marketing advantage to entice buyers. The visibility result of claim 20 is very different than MacMillan because his invention shows only one line of text for each word in the just one specific English language on a printout, and thus has a significantly lower visibility result.

Youth Market: Young people have substantial discretionary income and tend to spend more in many product areas than the rest of the population. Claim 20 will appeal to young people because computers are popular with this market. Claim 20 is very useful for young people to learn about a word or phrase in a multitude of languages. The multilingual result of claim 20 is important for the purposes of learning, knowledge and education. Claim 20 is valuable because higher education is often a priority of young people. Claim 20 may command more sales of the youth market than the staid, static primary etymology in the just one specific English language of MacMillan. The youth market result of claim 20 is very different than MacMillan because his invention fails to provide multilingual learning, and thus likely has a small youth market result.

New Claim 20 Is Unobvious Over MacMillan Under § 103 for the

Following Additional Reasons:

The reasons that new claim 20 is unobvious include those from referred new claim 11 discussed in the above heading "New Claim 11 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:"

The additional reasons that new claim 20 is unobvious are as follows:

Synergism: The result of a multitude of languages achieved by claim 20 is greater than the sum of the separate results of its parts. The separate parts of claim 20 are the pop up digital spaces, the text, and a language presented in each of the two previous parts. These parts of claim 20 cooperate together to increase the overall learning of a word or phrase in a multitude languages, a synergistic effect. The synergism results of claim 20 are very different than MacMillan

because his result of primary etymology on only one line of text for each word in the just one specific English language on a printout. This result of MacMillan is puny because it is far less than the sum of the separate results of the numerous steps, parts, sequences, elements, and the printouts of his invention. Thus the synergisms of claim 20 produces disproportionately more results than MacMillan's puny results.

Different Combination: The combination of claim 20 had not been previously created as of the applicant's filing date. The combination of claim 20 is the pop up digital spaces, the text, and a multitude of language. MacMillan shows the very different combination of an interactive search macro for inputting words, printouts, and the just one specific English language point of view. The combination of claim 20 is so far different than MacMillan, even though both present a language, that his invention must be regarded as very different from that of claim 20.

Unexpected Results: The results achieved by claim 20 are new, unexpected, superior, disproportionate, unsuggested, unusual, critical, and surprising over MacMillan. Claim 20 produces a multitude of languages in pop up digital spaces and in a text in a fast, convenient, and unique method. The unexpected results of claim 20 are very different than MacMillan because he fails to show a multitude of languages, much less pop up digital spaces. Instead MacMillan shows the just one specific English language point of view on printouts.

Omission of Elements: MacMillan describes the different elements of the just one specific English language point of view and the very specific sole dependence on a printout. These elements of MacMillan are omitted in claim 20.

Unsuggested Modification: MacMillan lacks any suggestion that his invention should be modified in a manner required to meet claim 20.

The O.A. states "MacMillan show a system and method for conveniently providing dictionary elements, wherein...the language used in said text can be any and all the languages in the world (Fig. 1)."

MacMillan at Fig. 1 does not show the claim 20 results of a **multitude** of languages used in pop up digital spaces and in a text.

Instead MacMillan at Fig. 1 shows a sample page from the Language Database of primary etymology written in the just **one specific** English language point of view. MacMillan describes

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

the database as, “A Language Database consisting of English words grouped according to their etymological origin:”. Thus MacMillan at Fig. 1 is very different than claim 20.

Therefore MacMillan at Fig. 1 lacks any suggestion that it should be modified in a manner required to meet claim 20.

Unappreciated Advantage: Up to now MacMillan and those skilled in the art never appreciated the advantages of claim 20 although it is inherent. Claim 20 produces a multitude of languages that are presented in a fast and convenient method using pop up digital spaces. These advantages of claim 20 did not exist as of the applicant’s filing date.

Poor Reference: MacMillan is a vague reference because he wrote ” it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created.” MacMillan is entirely foreign to claim 20 because his invention does not show a multitude of languages in pop up digital spaces and in a text. Also the multitude of languages of claim 20 conflicts with MacMillan because he shows instead the just one specific English language point of view throughout his invention. The reference of MacMillan is vague, entirely foreign to, and conflicts with claim 20, and therefore is weak and should be construed narrowly.

Lack of Implementation: If claim 20 were in fact obvious MacMillan and those skilled in the art surely would have implemented the claim as of the applicant’s filing date. Claim 20 shows the advantages of a multitude of languages that are presented in a fast, convenient and unique method. The fact that MacMillan and those skilled in the art have not implemented claim 20, despite its great advantages, indicates that it is not obvious.

Misunderstood Reference: MacMillan does not teach what the O.A. relies upon it as supposedly teaching. MacMillan clearly does not teach the method of claim 20 which produces a multitude of languages in pop up digital spaces and in a text.

Solution of Long Felt and Unsolved Need: Claim 20 solves a long felt, long existing, but unsolved need. Claim 20 solves the need of learning about a word or phrase in a multitude of languages in a fast and convenient method. Thus claim 20 makes it easy to learn about a word or phrase in a multitude of languages. MacMillan fails to provide a solution to this long felt, long existing need because his invention shows the just one specific English language point of view.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Contrarian Invention: Claim 20 is contrary to the teachings of MacMillan. Claim 20 goes against the grain of what MacMillan teaches because the claim produces a multitude of languages. This is contrary to MacMillan because his invention instead shows the just one specific English language point of view.

Strained Interpretation: The O.A. has made a strained interpretation of MacMillan that could be made only in hindsight. MacMillan clearly does not show a multitude of languages of claim 20 in pop up digital spaces and in a text. Instead MacMillan shows the just one specific English language point of view throughout his invention.

Solved Different Problem: Claim 20 solves a different problem than MacMillan, and such different problem is recited in the claim. Claim 20 solves the problem of learning about a word or phrase in a multitude of languages. MacMillan solves the very different problem of presenting primary etymology on only one line of text for each word in the just one specific English language point of view on printouts.

No Convincing Reasoning: The O.A. has not presented a convincing line of reasoning as to why the subject matter of claim 20 as a whole, including its differences over MacMillan would have been obvious. MacMillan clearly does not show a multitude of languages in pop up digital spaces and in a text of claim 20. Instead MacMillan shows the just one specific English language point of view throughout his invention.

Therefore the applicant submits that new claim 20 produces valuable new, unexpected, and different results and hence is unobvious and patentable over MacMillan under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 20 is a fortiori patentable and should also be allowed.

**The Rejection of Claims 4-6 and 8, Now New Claims 14-16 and 18,
On MacMillan Overcome Under § 103**

The O.A. states "Claims 4-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacMillan (cited above)."

The applicant respectfully disagrees that the claims are unpatentable over MacMillan.

The Dependent Claim 4, Now New Dependent Claim 14, Is A Fortiori

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Patentable Over MacMillan

New dependent claim 14 incorporates all the subject matter of new claim 11 and adds additional subject matter which makes the claim a fortiori and independently patentable over MacMillan.

Claim 4 is canceled and replaced by new claim 14.

Claim 4 is rewritten as new claim 14 for the reasons discussed in the above heading “The Rejections of Claims 1 to 10 Overcome Under § 112”.

New claim 14 amends claim 4 for the reasons from referred new claim 11 discussed in the above heading “The Rejection of Independent Claim 1, Now New Independent Claim 11, Overcome Under § 112”.

Lastly new claim 14 amends canceled claim 4 with the accompanying reasons as follows:

1. The words “Claim 1” is deleted and replaced by the correct referred claim, “Claim 11” to make the claim clear, logical, and precise under § 112, second paragraph.
2. The words “can be menu driven” is deleted and replaced by the words “are menu driven” to make the claim clear, logical, and precise under § 112, second paragraph.

The applicant submits that new claim 14 amends canceled claim 4 to distinctly claim the subject matter and to make the claim clear and understandable, and requests reconsideration.

Therefore the applicant solicits allowance of new claim 14 under 35 U.S.C. § 112.

New Claim 14 Produces New and Unexpected Results and Hence

Is Unobvious and Patentable Over MacMillan Under § 103

These distinctions are submitted to be of patentable merit because the novel subject matter of new claim 14 is unobvious and hence even more patentable under § 103 since it adds additional subject matter over MacMillan, or any modification thereof.

The O.A. states, in regards to claim 4, “MacMillan shows a system and method for conveniently providing dictionary elements discussed above. They do not specifically show that pop up digital spaces can be menu driven...and utilize the drag and selection methods of said cursor to select various choices in the menus...”

As mentioned claim 4 is canceled and replaced by new claim 14.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

The new and unexpected results for new claim 14 include those from referred new claim 11 discussed in the above heading “New Claim 11 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103”

The applicant respectfully disagrees that “MacMillan shows a system and method for conveniently providing dictionary elements discussed above.” MacMillan does not show a system and method for conveniently providing dictionary elements recited in referred new claim 11 of new claim 14. The referred dictionary elements of new claim 14 are a **broad generic** result indicating that a myriad of different entry types of dictionary elements can be presented. Instead MacMillan describes and shows the **specific primary etymology** result in his invention. He also provides a **specific Thesaurus Database** to show related words for presenting the primary etymology for each word. Thus MacMillan fails to show the **broad generic** results of the referred dictionary elements of claim 14.

The applicant agrees that MacMillan “do not specifically show that pop up digital spaces can be menu driven...and utilize the drag and selection methods of said cursor to select various choices in the menus...”

In fact MacMillan **still does not** show any of the results of new claim 14 in which pop up digital spaces can be menu driven and utilize the drag and selection methods of a cursor to select various choices in the menus.

The O.A. has affirmed that MacMillan does not show the results of new claim 14.

However as mentioned in the above heading “The Rejection of Claims 4-6 and 8, Now New Claims 14-16 and 18, On MacMillan Overcome Under § 103”, the applicant respectfully disagrees on the rejection of claim 4, now new claim 14 as being “unpatentable over MacMillan” under § 103.

The new and unexpected results that flow from the novel structure of new claim 14 are discussed in the following reasons:

Speed: Claim 14 is able to do a job faster than MacMillan and such change in speed is a benefit. The drag and selection methods of claim 14 to select various choices in the menus provide faster results than MacMillan. This advantage of claim 14 is important in software methods. The speed result of claim 14 is very different than MacMillan because his invention requires a series

of longer steps. These steps include pressing keys to bring up search macros, the inputting of words into a search box such as by typing the words, answering question prompts, and pressing another key to obtain the printout output, among other steps. Thus MacMillan shows a substantially slower result.

Ease of Use: Claim 14 is easier to use than MacMillan because a cursor merely has to drag and select the choices in the menus of the claim. The ease of use advantage of claim 14 is especially important in a software innovation because it enables people to use the computer more facilely, and this counts a great deal. The ease of use result of claim 14 is very different than MacMillan because his invention requires a series of steps to obtain the printout results like pressing hard to remember keys, inputting words into search box, answering question prompts, steps for dealing with redundancies, the printing of the printouts, among other steps. Thus MacMillan shows a significantly harder to use result.

Novelty: Claim 14 is different from MacMillan and the prior art because the fast, convenient, and novel method of the claim did not exist as of the applicant's filing date. Merely making a claim different may not appear to be an advantage per se, but it is usually a great advantage. Claim 14 provides an alternative method for doing the job of selecting, in case MacMillan and his method of inputting of words into a search box ever encounter difficulties.

Convenience: Claim 14 makes living easier and more convenient because the menus and the drag and selection methods are fast and easy to use. The convenience result of claim 14 is very different than MacMillan because his invention requires pressing specific hard to remember function keys to access 3 possible interactive search macros, the inputting of words into a search box such as by typing the words, the answering of question prompts, pressing another specific key to obtain a printout, and dealing with no printouts due to redundancies, among other steps. These many steps of MacMillan show a substantially less convenience result.

Mechanization: Claim 14 computerizes the manual task of looking up a word or phrase in a dictionary book because of the fast menu driven, drag and selections methods of a cursor. The mechanization result of claim 14 is very different than MacMillan. MacMillan requires the inputting of words into a search box such as by typing the words and the heavy use of a printer, among many other steps. Thus MacMillan has a significantly slower mechanization result.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Quality: Claim 14 produces a higher quality output result because its menus and drag and selection methods has an advanced technological quality. The quality result of claim 14 is very different than MacMillan. MacMillan provides, for example, pressing specific keys and the inputting of words into a search box such as by typing the words, which shows a lower technological quality result.

New Use: Claim 14 has discovered a new use of the menu driven and drag and selection methods. Since claim 14 incorporates all the novel subject matter of claim 11, these methods are newly used to present dictionary elements in pop up digital spaces when a cursor is placed over a word or phrase. The new use result of claim 14 is very difference than MacMillan because his invention fails to show the new use.

Operability: Claim 14 is likely to work readily and requires no significant additional design or technical developments to make the claim practicable and workable. Claim 14 provides relatively basic menu driven and drag and selection methods. The operability result of claim 14 is very different than MacMillan because numerous steps, parts, elements, flowchart steps, and sequences are needed to develop his invention. Thus MacMillan has a less ready operability result.

Minimal Learning Required: Claim 14 is easy to learn because the menus and drag and selection methods are simple tasks to perform. The learning result of claim 14 is very different than MacMillan. MacMillan requires, for example, 3 specific keys to bring up 3 different interactive search macros, the inputting of words into a search box, answering question prompts, another specific key to printout, learning to use a printer, dealing with redundancies, among other steps. Thus MacMillan has a significantly harder to learn result.

Combination Product: Claim 14 is a combination product with the two functions of menus, and drag and selection methods that groove well together. The combination result of claim 14 is very different than MacMillan. MacMillan provides the different combination of pressing 3 specific keys to bring up 3 different interactive search macros and the inputting of words into a search box such as by typing the words.

Visibility of Invention: Claim 14 is highly visible because the menus with the choices, and the drag and selection methods are on view in pop up digital spaces. This high visibility will be a

distinct marketing advantage to entice buyers. The visibility result of claim 14 is very different than MacMillan because his invention provides primary etymology on only one line of text for each word on a printout, and thus has a significantly lower visibility result.

New Claim 14 Is Unobvious Over MacMillan Under § 103 for the

Following Additional Reasons:

The reasons that new claim 14 is unobvious include those from referred new claim 11 discussed in the above heading “New Claim 11 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:”

The additional reasons that new claim 14 is unobvious are as follows:

Unexpected Results: The results achieved by claim 14 are superior, disproportionate, unsuggested, and critical over MacMillan. Claim 14 provides menus and drag and selection methods in pop up digital spaces that are fast and convenient. The unexpected results of claim 14 are very different than MacMillan because he fails to show the menus and drag and selection methods, much less pop up digital spaces. Instead MacMillan shows interactive search macros and search boxes to input words such as by typing the words.

Omission of Elements: MacMillan describes the different elements of specific function keys, the specific elements of 3 interactive search macros, search boxes to input words, and the very specific sole dependence on a printout output. These elements of MacMillan are omitted in claim 14.

Poor Reference: MacMllan is a vague reference because he wrote “it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created.” MacMillan is entirely foreign to claim 14 because his invention does not show the menus and drag and selection methods of the claim. MacMillan conflicts with claim 14 because his invention instead shows interactive search macros and search boxes to input words. Thus the reference of MacMillan is vague, entirely foreign to, and conflicts with claim 14 and therefore is weak and should be construed narrowly.

Contrarian Invention: Claim 14 is contrary to the teachings of MacMillan. The menus and drag and selection methods of claim 14 goes against the grain of what MacMillan teaches.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

MacMillan instead teaches the very different method of inputting of words into a search box such as by typing the words.

No Convincing Reasoning: The O.A. has not presented a convincing line of reasoning as to why the subject matter of claim 14 as a whole, including its differences over MacMillan, would have been obvious. MacMillan clearly fails to show the menus with various choices, and drag and selection methods of claim 14.

Therefore the applicant submits that new claim 14 produces valuable new, unexpected, and different results and hence is unobvious and patentable over MacMillan under 35 U.S.C § 103, and solicits reconsideration..

Accordingly the applicant submits that new dependent claim 14 is a fortiori patentable and should also be allowed.

The Dependent Claim 5, Now New Dependent Claim 15, Is A Fortiori Patentable Over MacMillan

New claim 15 incorporates all the subject matter of new claim 11 and adds additional subject matter which makes the claim a fortiori and independently patentable over MacMillan.

Claim 5 is canceled and replaced by new claim 15.

Claim 5 is rewritten as new claim 15 for the reasons discussed in the above heading “The Rejections of Claims 1 to 10 Overcome Under § 112”.

New claim 15 amends claim 5 for the reasons from referred new claim 11 discussed in the above heading “The Rejection of Independent Claim 1, Now New Independent Claim 11, Overcome Under § 112”.

Lastly new claim 15 amends canceled claim 5 with the accompanying reasons as follows:

1. The words “Claim 1” is deleted and replaced by the correct referred claim, “Claim 11” to make the claim clear, logical, and precise under § 112, second paragraph.
2. The words “definitions contain” is deleted and replaced by the words “dictionary elements present” to make the claim clear, logical, and precise under § 112, second paragraph.
3. The words “will be highlighted” is deleted and replaced by the words “can be highlighted” to make the claim clear, logical, and precise under § 112, second paragraph, and to broaden the claim under § 112.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

The applicant submits that new claim 15 amends canceled claim 5 to distinctly claim the subject matter and to make the claim clear and understandable, and requests reconsideration.

Therefore the applicant solicits allowance of new claim 15 under 35 U.S.C. § 112.

New Claim 15 Produces New and Unexpected Results and Hence

Is Unobvious and Patentable Over MacMillan Under § 103

These distinctions are submitted to be of patentable merit because the novel subject matter of new claim 15 is unobvious and hence even more patentable under § 103 since it adds additional subject matter over MacMillan, or any modification thereof.

The O.A. states, in regards to claim 5, “MacMillan shows a system and method for conveniently providing dictionary elements discussed above. They do not specifically show that...if said definitions contain more than one meaning of said word or phrase, the intended contextual meaning of said word or phrase can be highlighted or otherwise distinguished.”

As mentioned claim 5 is canceled and replaced by new claim 15.

The new and unexpected results for new claim 15 include those from referred new claim 11 discussed in the above heading “New Claim 11 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103”

The applicant respectfully disagrees that “MacMillan shows a system and method for conveniently providing dictionary elements discussed above.” MacMillan does not show a system and method for conveniently providing dictionary elements of new claim 15. The dictionary elements of new claim 15 are a **broad generic** result indicating that a myriad of different entry types of dictionary elements can be presented.

Instead MacMillan describes and shows the **specific primary etymology** result in his invention. He also provides a **specific Thesaurus Database** to show related words for presenting the primary etymology for each word. Thus MacMillan fails to show the **broad generic** results of the dictionary elements of claim 15.

The applicant agrees that MacMillan “do not specifically show that... if said definitions contain more than one meaning of said word or phrase, the intended contextual meaning of said word or phrase can be highlighted or otherwise distinguished.”

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

In fact MacMillan **still does not** show any of the results of new claim 15 in which if the dictionary elements present more than one meaning, the intended contextual meaning of the word or phrase can be highlighted or otherwise distinguished.

The O.A. has affirmed that MacMillan does not show the results of new claim 15.

However as mentioned in the above heading “The Rejection of Claims 4-6 and 8, Now New Claims 14-16 and 18, On MacMillan Overcome Under § 103”, the applicant respectfully disagrees on the rejection of claim 5, now new claim 15, as being “unpatentable over MacMillan” under § 103.

The new and unexpected results that flow from the novel structure of new claim 15 are discussed in the following reasons:

Speed: Claim 15 does the job hitherto or beforehand because the intended contextual meaning of a word or phrase is already highlighted or otherwise distinguished. This change of speed is practically instantaneous and is a benefit. This speed advantage is important in software methods. The speed result of claim 15 is very different than MacMillan because his invention does not show the instantaneous speed result at all, much less highlighting or otherwise distinguishing the intended meaning of a word or phrase.

Ease of Use: Claim 15 is easier to use and learn than MacMillan because the intended contextual meaning of a word or phrase is already highlighted or otherwise distinguished. There is no virtually learning needed to use claim 15 because it requires no action. This advantage is especially important in a software innovation because claim 15 enables people to use the computer more facilely, and this counts a great deal. The ease of use result of claim 15 is very different than MacMillan because his invention does not show this ease of use result at all.

Novelty: Claim 15 is very different than MacMillan and all previously known counterparts. Claim 15 and the highlighting or otherwise distinguishing the intended contextual meaning of a word or phrase, if there is more than one meaning, did not exist as of the applicant’s filing date. Merely making the novel method of claim 15 different may not be appear to be an advantage per se, but it is usually a great advantage. MacMillan does not show this advantage of claim 15 at all.

Convenience: Claim 15 makes living easier and more convenient because it already highlights or otherwise distinguishes the intended contextual meaning of a word or phrase. There is virtually no effort needed to use claim 15. The convenience result of claim 15 is very different than MacMillan because his invention does not show this convenience result at all.

Social Benefit: Claim 15 produces greater social benefits than MacMillan because the claim provides certainty by highlighting or otherwise distinguishing the intended contextual meaning of a word or phrase. Claim 15 prevents people from having to guess the intended meaning when at least one meaning of a word or phrase are presented. Claim 15 is useful for the purposes of learning, knowledge, and education. The social benefit results of claim 15 are very different than MacMillan because his invention fails show these social benefits at all.

Mechanization: Claim 15 computerizes the manual task of using a highlighting pen and other manual techniques such as using a pencil to circle a specific meaning on paper. The mechanization result of claim 15 is very different than MacMillan because his invention does not show this computerization at all.

Ecology: Claim 15 provides an ecology benefit because its method of highlighting or otherwise distinguishing the intended contextual meaning does not require the printing of paper. Paper comes from organic matter, in most cases from trees, which are a limited and important natural resource. In contrast MacMillan wrote “it is desirable to printout all the different possibilities (since it is impossible to know which one the user was requesting.)”. MacMillan in printing out all the different possible words, each on only one line of text, constitutes a superfluous waste of paper. The ecology result of claim 15 is very different than MacMillan because his invention heavily emphasizes and requires printouts, which is a detrimental stress on the ecology.

Salability: Claim 15 likely is easier to sell and market than MacMillan. Claim 15 and the highlighting of the intended contextual meaning, for example, of a word or phrase is very helpful and potentially popular to people. The salability result of claim 15 is very different than MacMillan because his invention shows the very specific result of primary etymology on only one line of text for each word on a printout. In fact MacMillan wrote, “However, the average person seldom consults the dictionary for etymological information.” MacMillan concedes that his invention of primary etymology is not popular and thus likely has a limited salability result.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Viewability: Claim 15 relates to eye use and presents a brighter, clearer, and more viewable image than MacMillan because of the highlighting or otherwise distinguishing functions of the claim. The highlighting of claim 15 covers the intended contextual meaning with a bright color that is extremely easy to see. The otherwise distinguishing of claim 15 signals the intended contextual meaning other ways, which has to be extremely easy to see. The viewability results of claim 15 are very different than MacMillan because his invention does not show these results of claim 15 at all. Instead MacMillan provides primary etymology on only one line of text for each word on a printout that shows a significantly less viewability result.

Potential Competition: Claim 15 is potentially very popular because of the highlighting or otherwise distinguishing of the intended contextual meaning of a word or phrase. Claim 15 is so simple and easy to manufacture that many imitators and copiers are likely to attempt to copy it or design around it, or try to break the claim as soon as it is brought out. These advantages of claim 15 did not exist as of the applicant's filing date. The potential competition result of claim 15 is very different than MacMillan because his primary etymology is not popular. In fact MacMillan wrote, "However, the average person seldom consults the dictionary for etymological information." MacMillan concedes that his invention is not popular, and thus likely has a limited competition result.

Quality: Claim 15 produces a higher quality output than MacMillan because the claim provides: (1) richer information, (2) the intended contextual meaning of a word or phrase is highlighted or otherwise distinguished when there is more than one meaning. The quality result of claim 15 is very different than MacMillan because his invention provides the very specific primary etymology on only one line of text for each word. MacMillan shows a scant amount of information for each word, and thus has a significantly lower quality result.

New Use: Claim 15 has discovered a new use for the highlighting or otherwise distinguishing functions that did not exist as of the applicant's filing date. Both are newly used to indicate the intended contextual meaning of a word or phrase when there is more than one meaning. The new use results of claim 15 are very different than MacMillan because he fails to show the new uses.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Miscellaneous: Claim 15 is very different than MacMillan because the claim has options.

Claim 15 recites that the intended contextual meaning **can be** highlighted or otherwise distinguished and this allows for options. Claim 15 can produce other options, for example, such as not highlighting or otherwise distinguishing the intended contextual meaning. This option is useful when there is dialogue or spoken vernacular that does not adhere to the formal sentence structure of a language. Oftentimes such talk or speech in a text is purposely or inadvertently ambiguous.

In addition claim 15 and the otherwise distinguishing of the intended meaning allows for many other possible options. The otherwise distinguishing function of claim 15 comprises any design that can be imagined. MacMillan does not show these options results of claim 15 at all.

Operability: Claim 15 is likely to work readily to make it practicable and workable. The highlighting or otherwise distinguishing functions are easy to build. The operability result of claim 15 is very different than MacMillan because his invention requires numerous steps, parts, flowchart steps, sequences and elements. Thus MacMillan has a significantly lesser operability result than claim 15.

Minimal Learning Required: Claim 15 requires virtually no learning to use because the intended contextual meaning is already highlighted or otherwise distinguished. The minimal learning result of claim 15 is very different than MacMillan. The numerous steps and parts of MacMillan require substantially more learning, which does not show a minimal learning result.

Combination Products: Claim 15 and the highlighting or otherwise distinguishing the intended contextual meaning of a word or phrase produces a combination that grooves well together. The combination product of claim 15 did not exist as of the applicant's filing date. The combination product result of claim 15 is very different than MacMillan. The functions that are combined in MacMillan, such as his primary etymology and printouts, are substantially different products than claim 15.

Visibility of Invention in Final Product: Claim 15 is highly visible because the highlighting or otherwise distinguishing functions are extremely viewable. This high visibility will be a distinct marketing advantage to entice buyers. The visibility result of claim 15 is very different than

MacMillan because his invention shows primary etymology on only one line of text for each word on a printout. Thus MacMillan has a significantly lower visibility result.

Youth Market: Young people have substantial discretionary income and tend to spend more in many product areas than the rest of the population. Claim 15 will appeal to young people because computers are popular with this market. Claim 15 is very useful for young people to learn about a word or phrase. Claim 15 and the highlighting or otherwise distinguishing the intended contextual meaning of a word or phrase helps the learning experience. Claim 15 is important for the purposes of learning, knowledge, and education. Claim 15 is valuable because higher education is often a priority of young people. Claim 15 may command more sales of the youth market than the staid, static primary etymology of MacMillan. The youth market result of claim 15 is very different than MacMillan. MacMillan shows primary etymology on only one line of text for each word on a printout, and thus likely has a small youth market result.

New Claim 15 Is Unobvious Over MacMillan Under § 103 for the

Following Additional Reasons:

The reasons that new claim 15 is unobvious include those from referred new claim 11 discussed in the above heading “New Claim 11 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:”

The additional reasons that new claim 15 is unobvious are as follows:

Unexpected Results: The results achieved by claim 15 are new, unexpected, superior, disproportionate, unsuggested, unusual, critical and surprising than MacMillan. MacMillan does not show the highlighting or otherwise distinguishing the intended contextual meaning results of the claim. These advantages of claim 15 did not exist as of the applicant’s filing date.

Assumed Unworkability: Up to now MacMillan and those skilled in the art thought or were skeptical that the techniques used in claim 15 were unworkable or presented an insuperable barrier. MacMillan, as a skilled software inventor, wrote, “in English there are many words such as bark¹, (sound of a dog), bark² (of a tree), and bark³ (a sailing ship), all of which may have different languages of origin. When the user inputs the word “bark”, it is desirable to print out all the different possibilities (since it’s **impossible** to know which one the user was requesting.)”.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Claim 15 clearly shows that what was assumed to be an impossible, insuperable barrier is in fact workable. The functions of claim 15 of highlighting or otherwise distinguishing the intended contextual meaning of a word or phrase provide the workable method.

Assumed Insolubility: Up to now MacMillan and those skilled in the art thought or found the problem solved by claim 15 to be insoluble. As mentioned MacMillan, as a skilled software inventor, wrote, “in English there are many words such as bark¹, (sound of a dog), bark² (of a tree), and bark³ (a sailing ship), all of which may have different languages of origin. When the user inputs the word “bark”, it is desirable to print out all the different possibilities (since it’s **impossible** to know which one the user was requesting.)”.

Claim 15 clearly shows that what was assumed to be an impossible, insoluble problem is in fact soluble. Claim 15 converts failure into success from the highlighting or otherwise distinguishing of the intended contextual meaning of a word or phrase. The failures of prior art workers like MacMillan indicate that a solution was not obvious.

Omission of Element: MacMillan describes the different elements of specific interactive search macros, a search box for inputting words, and the very specific sole dependence on a printout output. These elements of MacMillan are omitted in claim 15.

Unappreciated Advantage: Up to now MacMillan and those skilled in the art never appreciated the advantages of claim 15 although it is inherent. The highlighting or otherwise distinguishing the intended contextual meaning functions of claim 15 did not exist as of the applicant’s filing date.

Poor Reference: The invention of MacMillan is vague because he wrote “it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created.” MacMillan is entirely foreign to claim 15 because his invention does not show the functions of the claim of highlighting or otherwise distinguishing the intended contextual meaning of a word or phrase. Also MacMillan conflicts with claim 15 because his invention shows only a specific primary etymology for each word. Claim 15 provides more than one meaning of a word or phrase. Thus the reference of MacMillan is vague, entirely foreign to, and conflicts with claim 15 and therefore is weak and should be construed narrowly.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Lack of Implementation: If claim 15 were in fact obvious, because of its advantages, MacMillan and those skilled in the art surely would have implemented it by now. The fact that MacMillan and those skilled in the art have not implemented claim 15 as of the applicant's filing date, despite its great advantages, indicates that it is not obvious. The advantages of claim 15 are the functions of highlighting or otherwise distinguishing the intended contextual meaning of a word or phrase.

Contrarian Invention: Claim 15 is contrary to the teachings of MacMillan. Claim 15 goes against the grain of what MacMillan teaches because his invention does not show the functions of highlighting or otherwise distinguishing the intended contextual meaning of a word or phrase. Instead in MacMillan, when there are related words of an inputted word he wrote, "it is desirable to printout all the different possibilities (since it is impossible to know which one the user was requesting.)".

Solved Different Problem: Claim 15 solves a different problem than MacMillan and such different problem is recited in the claim. Claim 15 solves the problem of a person not knowing or is not sure about the intended contextual meaning of a word or phrase when there is more than one meaning. The highlighting or otherwise distinguishing functions of claim 15 solves the problem. MacMillan solves the very different problem of showing the primary etymology on only one line of text for each word.

No Convincing Reasoning: The O.A. has not presented a convincing line of reasoning as to why the subject matter of claim 15 as a whole, including its differences over MacMillan, would have been obvious. MacMillan clearly does not show the functions of highlighting or otherwise distinguishing functions of the intended contextual meaning of a word or phrase of claim 15. Therefore the applicant submits new claim 15 produces valuable new, unexpected, and different results and hence is unobvious and patentable over MacMillan under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 15 is a fortiori patentable and should also be allowed.

**The Official Notice Regarding Claims 4 and 5, Now New
Claims 14 and 15**

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

The O.A. states “The Examiner takes Official Notice that one of ordinary skill in the art would know that various computer pop up menus commonly include these features and means are determined by the context of the desired word.”

The Official Notice refers to claims 4 and 5 in the same sentence, yet they are separate dependent claims.

As mentioned claims 4 and 5 are canceled and replaced by new claims 14 and 15.

New Claim 14: The applicant agrees “that one of ordinary skill in the art would know... computer pop up menus commonly include these features...”

However, in regards to claim 14, the applicant respectfully disagrees that one of ordinary skill in the art would know all of the features and results of claim 14 because it incorporates all the novel subject matter and results of referred claim 11.

Claim 14 adds the additional subject matter of pop up digital spaces that are menu driven and utilizes the drag and selection methods of a cursor to select various choices in the menus. Claim 14 with referred claim 14 did not exist as of the applicant’s filing date.

Claim 14 is novel for the reasons discussed for referred claim 11 in the above heading “The Rejection of Claim 1, Now New Claim 11, On MacMillan Overcome Under § 102”.

Claim 14 is also novel for the reasons discussed in the above heading “The Rejection of Claim 4, Now New Claim 14, On MacMillan Overcome Under § 102”.

Claim 14 is unobvious for the reasons discussed from referred claim 11 in the above headings “New Claim 11 Produces New and Unexpected Results and Hence is Unobvious and Patentable Over MacMillan Under § 103” and “New Claim 11 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:”.

Claim 14 is also unobvious for the reasons discussed in the above headings “New Claim 14 Produces New and Unexpected Results and Hence is Unobvious and Patentable Over MacMillan Under § 103” and “New Claim 14 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:”.

New Claim 15: The applicant agrees “that one of ordinary skill in the art would know that... means are determined by the context of the desired word.”

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

The applicant points out that claim 15 does not recite any “means are determined by the context of the desired word.” Rather claim 15 adds the subject matter that if dictionary elements present more than one meaning of a word or phrase, the intended contextual meaning of the word or phrase can be highlighted or otherwise distinguished.

In regards to claim 15 the applicant respectfully disagrees that one of ordinary skill in the art would know all of the features and results of claim 15 because it incorporates all the novel subject matter and results of referred claim 11.

Claim 15 with referred claim 11 did not exist as of the applicant’s filing date.

Claim 15 is novel for the reasons discussed from referred claim 11 in the above heading “The Rejection of Claim 1, Now New Claim 11, On MacMillan Overcome Under § 102”.

Claim 15 is also novel for the reasons discussed in the above heading “The Rejection of Claim 5, Now New Claim 15, On MacMillan Overcome Under § 102”.

Claim 15 is unobvious for the reasons discussed from referred claim 11 in the above headings “New Claim 11 Produces New and Unexpected Results and Hence is Unobvious and Patentable Over MacMillan Under § 103” and “New Claim 11 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:”.

Claim 15 is also unobvious for the reasons discussed in the above headings “New Claim 15 Produces New and Unexpected Results and Hence is Unobvious and Patentable Over MacMillan Under § 103” and “New Claim 15 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:”.

From the reasons discussed, the applicant respectfully submits that the Official Notice is inapplicable to new claims 14 and 15.

The Dependent Claim 6, Now New Dependent Claim 16, Is A Fortiori Patentable Over MacMillan

New claim 16 incorporates all the subject matter of new claim 11 and adds additional subject matter which makes the claim a fortiori and independently patentable over MacMillan.

Claim 6 is canceled and replaced by new claim 16.

Claim 6 is rewritten as new claim 16 for the reasons discussed in the above heading “The Rejections of Claims 1 to 10 Overcome Under § 112”.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

New claim 16 amends claim 6 for the reasons from referred new claim 11 discussed in the above heading “The Rejection of Independent Claim 1, Now New Independent Claim 11, Overcome Under § 112”.

Lastly new claim 16 amends canceled claim 6 with the accompanying reasons as follows:

1. The words “Claim 1” is deleted and replaced by the correct referred claim, “Claim 11” to make the claim clear, logical, and precise under § 112, second paragraph.
2. The phrase “wherein the sources of said dictionary elements and said images or moving images elements can either be from published or professional works, or from extemporaneous origins, or from a combination thereof” is deleted and; replaced by the phrase “further including said dictionary elements presented in said pop up digital spaces are from a sources that includes published works.” to make the claim clear, logical, and precise under § 112, second paragraph, to recite a function under § 112, sixth paragraph, and to broaden the claim in concise language under § 112.

The applicant submits that new claim 16 amends canceled claim 6 to distinctly claim the subject matter and to make the claim clear and understandable, and requests reconsideration.

Therefore the applicant solicits allowance of new claim 16 under 35 U.S.C. § 112.

**New Claim 16 Produces New and Unexpected Results and Hence
Is Unobvious and Patentable Over MacMillan Under § 103**

These distinctions are submitted to be of patentable merit because the novel subject matter of new claim 16 is unobvious and hence even more patentable under § 103 since it adds additional subject matter over MacMillan, or any modification thereof.

The O.A. states “In regard to claim 6, MacMillan shows a system and method for conveniently providing dictionary elements discussed above. They do not specifically show that the sources of said dictionary elements and said images or moving images elements can either be from published or professional works, or from extemporaneous origins, or from a combination thereof.”

As mentioned claim 6 is canceled and replaced by new claim 16.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

The new and unexpected results for new claim 16 include those from referred new claim 11 discussed in the above heading “New Claim 11 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103”.

The applicant respectfully disagrees that “MacMillan shows a system and method for conveniently providing dictionary elements discussed above.” MacMillan does not show a system and method for conveniently providing dictionary elements of new claim 16. The dictionary elements of new claim 16 are a **broad generic** result indicating that a myriad of different entry types of dictionary elements can be presented.

Instead MacMillan describes and shows the **specific primary etymology** result in his invention. He also provides a **specific Thesaurus Database** to show related words for presenting the primary etymology for each word. Thus MacMillan fails to show the **broad generic** results of the dictionary elements of claim 16.

The applicant agrees that MacMillan “do not specifically show that the sources of said dictionary elements and said images or moving images elements can either be from published or professional works, or from extemporaneous origins, or from a combination thereof.”

In fact MacMillan **still does not** show any of the results of new claim 16 of further including dictionary elements presented in pop up digital spaces that are from a sources that includes published works.

The O.A. has affirmed that MacMillan does not show the results of new claim 16.

However as mentioned in the above heading “The Rejection of Claims 4-6 and 8, Now New Claims 14-16 and 18, On MacMillan Overcome Under § 103”, the applicant respectfully disagrees on the rejection of claim 6, now new claim 16, as being “unpatentable over MacMillan” under § 103.

The new and unexpected results that flow from the novel structure of new claim 16 are discussed in the following reasons:

Novelty: Claim 16 is very different from MacMillan and all previously known counterparts because the claim did not exist as of the applicant’s filing date. Claim 16 produces published works that is the source of the dictionary elements presented in pop up digital spaces. Merely making claim 16 different may not appear to be an advantage per se, but it is usually a great

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

advantage. Claim 16 shows a novel method for doing the job of providing sources in case MacMillan ever encounters difficulties. Thus the novelty result of claim 16 is very different than MacMillan and his 3 specifically constructed databases that show the primary etymology.

Convenience: Claim 16 makes living easier and more convenient because the sources of the dictionary elements such as published works are already procured for perusal in pop up digital spaces. The sources of claim 16 require no effort from a consumer to peruse them. The convenience result of claim 16 is very different than MacMillan. MacMillan requires the user, for example, to press specific hard to remember function keys to bring up 3 possible interactive search macros, the inputting of words into a search box such as by typing the words, the answering of question prompts, dealing with redundancies, and pressing another specific key to obtain a printout, among other steps. These numerous steps of MacMillan shows a significantly less convenience result.

Social Benefit: Claim 16 provides a social benefit of learning about dictionary elements from a source such as published works. Claim 16 is important for the purposes of learning, knowledge and education. The social benefit results of claim 16 are very difference than MacMillan because he provides the very specific primary etymology on only one line of text for each word on a printout. Thus MacMillan likely has a significantly less social benefit result.

Mechanization: Claim 16 computerizes the manual task of the “legwork” of looking for sources by producing sources such as published works so that pop up digital spaces present dictionary elements. There is no effort required from a consumer because its sources are already procured. The mechanization result of claim 16 is very different than MacMillan because his invention requires numerous steps, parts, sequences, elements, and printouts to use, and thus has a significantly less mechanization result.

Salability: Claim 16 likely is easier to sell and market than MacMillan because the sources of the claim such as published works are common to the everyday needs of the market. The salability result of claim 16 is very different than MacMillan because his invention shows the very specific primary etymology on only one line of text for each word on a printout. In fact MacMillan wrote, “However, the average person seldom consults the dictionary for etymological

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

information.” Thus MacMillan concedes his invention of primary etymology is not popular, and likely has a limited salability result.

Viewability: Claim 16 relates to eye use and presents more viewable images than MacMillan because the sources of the claim that produce the dictionary elements in pop up digital spaces are very easy to see. The viewability result of claim 16 is very different than MacMillan.

MacMillan shows the very specific primary etymology on only one line of text for each word on a printout, and thus has as a significantly less viewability result.

Precision: Claim 16 operates with more precision and accuracy than MacMillan because the dictionary elements of the claim are from sources such as published works. Such sources can potentially produce full and complete dictionary elements that are precise and accurate. The precision results of claim 16 are very different than MacMillan. In fact MacMillan wrote “that a great deal of information will be lost and that many inaccuracies and ambiguities will be created.” Thus MacMillan concedes his invention has a lack of precision result.

Market Size: Claim 16 likely has a large market size because the sources produce dictionary elements that are common and popular to the everyday needs of the market. The market size result of claim 16 is very different than MacMillan because he wrote, “However, the average person seldom consults the dictionary for etymological information.” Thus MacMillan concedes his invention of primary etymology is not popular and likely has a small market size result.

Quality: Claim 16 produces a higher quality output than MacMillan because the sources of the claim such as published works provide dictionary elements that are of high editorial quality. The quality result of claim 16 is very different than MacMillan because he wrote, “it is, of course obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created.” Thus MacMillan concedes that his invention provides low quality results.

New Use: Claim 16 has discovered a new use for the sources such as published works. The sources are newly used to provide dictionary elements in pop up digital spaces in the unique method of claim 16. The new use result of claim 16 is very different than MacMillan because his invention fails to show the new use.

Miscellaneous: Claim 16 means to be a computer dictionary rather than be an alternative to a dictionary book. The sources of claim 16 such as published works are a significant part of this

computer dictionary. The computer dictionary means of claim 16 is very different than MacMillan because he wrote “this method is not meant to substitute for the traditional dictionary approach but rather to be a useful alternative technique. It is simply a complementary method of presenting etymological information.” Thus MacMillan concedes his invention is not meant to be a computer dictionary like that of claim 16.

In addition claim 16 provides flexibility because its sources such as published works can be built and integrated in myriad, flexible ways. The flexibility of claim 16 leaves open the ways that its sources may be built and integrated. For example, a producer of claim 16 can send the dictionary elements of a source through the internet, have the source already installed on a computer, store the source on any type of computer such as a server, embed the source onto a large software program, install the source exclusively on a specially designed computer, and install the source on portable media such as CD disks, DVD disks, plug ins, and memory cards. More flexible ways of building and integrating the sources of claim 16 are likely to be devised. The flexibility result of claim 16 is very different than MacMillan because the custom databases of his invention are built to a very specific structure that allows for very limited or no flexibility.

Related Product Addability: The sources of claim 16 likely will usher in new product lines because many related products of the sources can be added. New related product lines such as professional sources, extemporaneous sources, a combination of these sources, many reference works sources, and custom built sources can be added. For example, custom built sources that present dictionary elements in colorful and unusual lettering styles can be added. These are important advantages with potentially enhanced profits. The addability result of claim 16 is very different than MacMillan because his invention shows the very specific primary etymology on only one line of text for each word on a printout. Thus MacMillan likely has a limited related product addability result.

Operability: Claim 16 likely will work readily because the sources such as published works are a finished product that is easy to build to make it practicable and workable. The operability result of claim 16 is very different than MacMillan because his custom databases are very specifically built. This requires MacMillan to expend on additional technical development to

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

make his custom databases practicable and workable. Thus MacMillan likely has a significantly less operability result.

Minimal Learning Required: Claim 16 requires no learning to use because its sources are already built to present dictionary elements in pop up digital spaces. The minimal learning result of claim 16 is very different than MacMillan. MacMillan requires a user to learn his numerous steps and parts, and thus has a harder to learn result.

Presence of Market: Claim 16 likely has a market that already exists because its sources such as published works already have a market since such works were published. Also the dictionary elements of the claim are popular and common to the everyday needs of the market. The presence of market result of claim 16 is very different than MacMillan because he wrote, "However, the average person seldom consults the dictionary for etymological information." Thus MacMillan concedes his invention of primary etymology is not popular and likely has a limited presence of market result.

Combination Products: Claim 16 is a combination product because its sources such as published works and the pop up digital spaces presenting dictionary elements groove well together. The combination result of claim 16 is unobvious over MacMillan because the functions that are combined in his invention, such as the primary etymology and printouts, are a very different combination product result.

Youth Market: Young people have substantial discretionary income and tend to spend more in many product areas than the rest of the population. Claim 16 will appeal to young people because computers are popular with this market. Claim 16 provides sources such as published works to present dictionary elements in pop up digital spaces. Claim 16 is useful for young people to learn about dictionary elements that are from a published works source. Claim 16 is important for the purposes of learning, knowledge and education. Claim 16 is valuable because higher education is often a priority of young people. Claim 16 likely will command more sales of the youth market than the staid, static primary etymology of MacMillan. The youth market result of claim 16 is very different than MacMillan. MacMillan provides the primary etymology on only one line of text for each word on a printout, and thus likely has a small youth market result.

New Claim 16 Is Unobvious Over MacMillan Under § 103 for the

Following Additional Reasons:

The reasons that new claim 16 is unobvious include those from referred new claim 11 discussed in the above heading “New Claim 11 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:”

The additional reasons that new claim 16 is unobvious are as follows:

Synergism: The results achieved by claim 16 are greater than the sum of the separate results of its parts. The results of sources such as published works are greater than the separate results of dictionary elements and pop up digital spaces. For example, an entire published works source has a much greater amount of information than the dictionary elements presented in pop up digital spaces. In addition the sources of claim 16 and the pop up digital spaces cooperate together to increase the overall learning of dictionary elements, a synergistic effect. The synergism results of claim 16 are very different than MacMillan because the results of his invention of primary etymology on only one line of text for each word on a printout are so puny. This puny result of MacMillan is far less than the sum of the numerous steps, parts, flowchart steps, elements, and printouts of his invention. Thus the synergisms of claim 16 produces disproportionately greater results than MacMillan’s puny results.

Different Combination: Claim 16 produces the combination of sources such as published works, dictionary elements, and pop up digital spaces. MacMillan shows the very different combination of primary etymology, only one line of text for each word, and printouts. The combination of MacMillan is so far different from the combination of claim 16, although both show words, that the invention of MacMillan must be regarded as different from that of claim 16.

Unexpected Results: The results achieved by claim 16 are new, unexpected, superior, disproportionate, unsuggested, unusual, critical, and surprising because the sources such as published works in the unique method of claim 16 did not exist as of the applicant’s filing date. The sources of claim 16 provide dictionary elements in pop up digital spaces MacMillan shows the very different result of primary etymology on only one line of text for each word on a printout.

Unappreciated Advantage: MacMillan and those skilled in the art never appreciated the advantages of claim 16 although it is inherent. Claim 16 provides the advantages of presenting dictionary elements from sources such as published works in a fast, convenient, and unique method. These advantages of claim 16 did not exist as of the applicant's filing date.

Poor Reference: MacMillan is a vague reference because he wrote, "it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created." MacMillan is entirely foreign to claim 16 because his invention does not show the sources such as published works of claim 16 at all. MacMillan conflicts with claim 16 because he does not show the pop up digital spaces of the claim at all. The reference of MacMillan is vague, entirely foreign to, and conflicts with claim 16 and therefore is weak and should be construed narrowly.

Lack of Implementation: If claim 16 were in fact obvious, because of its advantages, MacMillan and those skilled in the art surely would have implemented it as of the applicant's filing date. Claim 16 provides the advantages of presenting dictionary elements in pop up digital spaces from sources such as published works in a fast, convenient, and unique method. The fact that MacMillan and those skilled in the art have not implemented the advantages of claim 16, despite its great advantages, indicates that it is not obvious.

Solution of Long Felt and Unsolved Need: Claim 16 solves a long felt, long existing, but unsolved need because it allows for a great many sources to provide dictionary elements in pop up digital spaces in a fast and convenient method. MacMillan does not solve this long felt and unsolved need of many possible sources, and instead solves the very different need to provide primary etymology on only one line of text for each word on a printout.

Contrarian Invention: Claim 16 is contrary to the teachings of MacMillan. Claim 16 goes against the grain of what MacMillan teaches because the sources such as published works of the claim are very different than his invention. Instead MacMillan teaches 3 very specifically built databases that provide the primary etymology.

New Principle of Operation: Claim 16 utilizes a new principle of operation because the sources such as published works that are the basis of the dictionary elements operate using pop up digital spaces. This new principle of operation from the new and novel method of claim 16

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

utilizing sources did not exist as of the applicant's filing date. MacMillan does not show this new principle of operation for the sources of claim 16. Claim 16 has blazed a trail, rather than followed one.

Solved Different Problem: Claim 16 solves a different problem than MacMillan and such different problem is recited in the claim. The sources of claim 16 such as published works solves the problem of being the basis of the dictionary elements presented in pop up digital spaces. MacMillan solves the very different problem of showing primary etymology on only one line of text for each word on a printout.

No Convincing Reasoning: The O.A. has not presented a convincing line of reasoning as to why the subject matter of claim 16 as a whole, including its differences over MacMillan, would have been obvious. MacMillan clearly does not show the pop up digital spaces presenting dictionary elements and the sources of claim 16 at all, much less a published works source. Therefore the applicant submits new claim 16 produces valuable new, unexpected, and different results and hence is unobvious and patentable over MacMillan under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 16 is a fortiori patentable and should also be allowed.

The Official Notice Regarding Claim 6, Now New Claim 16

The O.A. states "The Examiner takes Official Notice that one of ordinary skill in the art would know that sources can come from the desired databases of published or professional works or any Internet reference site."

The applicant agrees "that one of ordinary skill in the art would know that sources can come from the desired databases of published or professional works or any Internet reference site."

The applicant points out that claim 6 does not recite any "desired databases", and does not recite "any Internet reference site".

As mentioned claim 6 is canceled and replaced by new claim 16.

New claim 16 still does not recite any "desired databases", and does not recite "any Internet reference site".

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Claim 16 recites the dictionary elements presented in pop up digital spaces are from sources that includes published works. The sources of claim 16 allows room for such sources to be from any type of media category. Hence the sources of claim 16 are not restricted and limited to “desired databases” and “any Internet reference site”

The applicant respectfully disagrees, in regards to claim 16, that one of ordinary skill in the art would know all of the features and results of the claim because it incorporates all the novel subject matter and results of referred claim 11.

Claim 16 adds sources such as published works that did not exist as of the applicant’s filing date.

Claim 16 is novel for the reasons from referred claim 11 discussed in the above heading “The Rejection of Claim 1, Now New Claim 11, On MacMillan Overcome Under § 102”.

Claim 16 is novel for the reasons discussed in the above heading “The Rejection of Claim 16, Now New Claim 16, On MacMillan Overcome Under § 102”.

Claim 16 is unobvious for the reasons from referred claim 11 discussed in the above headings “New Claim 11 Produces New and Unexpected Results and Hence is Unobvious and Patentable Over MacMillan Under § 103” and “New Claim 11 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:”.

Claim 16 is unobvious for the reasons discussed in the above headings “New Claim 16 Produces New and Unexpected Results and Hence is Unobvious and Patentable Over MacMillan Under § 103” and “New Claim 16 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:”.

From the reasons discussed, the applicant respectfully submits that the Official Notice is inapplicable to new claim 16.

The Dependent Claim 8, Now New Dependent Claim 18, Is A Fortiori Patentable Over MacMillan

New claim 18 incorporates all the subject matter of new claim 11 and adds additional subject matter which makes the claim a fortiori and independently patentable over MacMillan.

Claim 8 is canceled and replaced by new claim 18.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Claim 8 is rewritten as new claim 18 for the reasons discussed in the above heading “The Rejections of Claims 1 to 10 Overcome Under § 112”.

New claim 18 amends claim 8 for the reasons from referred claim 11 discussed in the above heading “The Rejection of Independent Claim 1, Now New Independent Claim 11, Overcome Under § 112”.

Lastly new claim 18 amends canceled claim 8 with the accompanying reasons as follows:

1. The words “Claim 1” is deleted and replaced by the correct referred claim, “Claim 11” to make the claim clear, logical, and precise under § 112, second paragraph.
2. The phrase “themselves contain said pop up digital spaces and so on, creating pop up edictionaries within said pop up edictionaries” is deleted and;
replaced by the phrase “present a plurality of said pop up digital spaces.” to comply partially with the § 112 rejection of claim 8 discussed previously; and to make the claim clear, logical, and precise under § 112, second paragraph; and to broaden the claim in concise language under § 112.

The applicant submits that new claim 18 amends canceled claim 8 to distinctly claim the subject matter and to make the claim clear and understandable, and requests reconsideration.

Therefore the applicant solicits allowance of new claim 18 under 35 U.S.C. § 112.

**New Claim 18 Produces New and Unexpected Results and Hence
Is Unobvious and Patentable Over MacMillan Under § 103**

These distinctions are submitted to be of patentable merit because the novel subject matter of new claim 18 is unobvious and hence even more patentable under § 103 since it adds additional subject matter over MacMillan, or any modification thereof.

The O.A. states, in regards to claim 8, “MacMillan shows a system and method for conveniently providing dictionary elements discussed above. They do not specifically show that pop up digital spaces...create child edictionaries...”

As mentioned claim 8 is canceled and replaced by new claim 18.

The applicant points out that new claim 18 and canceled claim 8 do not recite any “child edictionaries”.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

The new and unexpected results for new claim 18 include those from referred new claim 11 discussed in the above heading “New Claim 11 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103”.

The applicant respectfully disagrees that “MacMillan shows a system and method for conveniently providing dictionary elements discussed above.” MacMillan does not show a system and method for conveniently providing dictionary elements recited in referred new claim 11 of new claim 18. The referred dictionary elements of new claim 18 are a **broad generic** result indicating that a myriad of different entry types of dictionary elements can be presented. Instead MacMillan describes and shows the **specific primary etymology** result in his invention. He also provides a **specific Thesaurus Database** to show related words for presenting the primary etymology for each word. Thus MacMillan fails to show the **broad generic** results of the referred dictionary elements of claim 18.

The applicant agrees that MacMillan “do not specifically show that pop up digital spaces... create child edictionaries...”.

In fact MacMillan **still does not** show any of the results of new claim 18 in which pop up digital spaces presents a plurality of pop up digital spaces.

The O.A. has affirmed that MacMillan does not show the subject matter of new claim 18. However as mentioned in the above heading “The Rejection of Claims 4-6 and 8, Now New Claims 14-16 and 18, On MacMillan Overcome Under § 103”, the applicant respectfully disagrees on the rejection of claim 8, now new claim 18, as being “unpatentable over MacMillan” under § 103.

The new and unexpected results that flow from the novel structure of new claim 18 are discussed in the following reasons:

Speed: Claim 18 does a job faster than MacMillan and such change in speed is a benefit. Claim 18 presents a plurality of pop up digital spaces from a pop up digital space in an extremely fast method. The speed result of claim 18 is very different than MacMillan because his invention requires numerous steps, parts, sequences, and elements such as the inputting of words into a search box and especially the use of a printer to obtain printouts. Thus MacMillan has a substantially slower speed result.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Ease of Use: Claim 18 is easier to use and learn than MacMillan because presenting a plurality of pop up digital spaces of the claim requires practically no effort for a person to use and learn. Claim 18 enables people to use the computer more facilely, and this counts a great deal. The ease of use result of claim 18 is very different than MacMillan. MacMillan requires a user to learn numerous steps, parts, sequences, and elements such as pressing 3 specific function keys to bring up 3 interactive search macros, the inputting words into a search box such as by typing the words, answering question prompts, dealing with redundancies, and especially the use of a printer to obtain printouts. Thus MacMillan has a significantly harder to use and learn result.

Convenience: Claim 18 makes living easier and more convenient because to present its plurality of pop up digital spaces requires practically no effort. The convenience result of claim 18 is very different than MacMillan. A user of MacMillan must undergo many steps and parts such as pressing 3 specific function keys to bring up 3 interactive search macros, the inputting words into a search box such as by typing the words, answering question prompts, dealing with redundancies, and especially using a printer to obtain printouts. Thus MacMillan has a substantially less convenience result.

Mechanization: Claim 18 computerizes many manual tasks such as the turning of pages of a book, the looking for the appropriate book, the looking for a specific topic in books, the driving to a library, the driving to a bookstore, and the typing of words into a search engine. Claim 18 presents a plurality of pop up digital spaces in a practically instantaneous method. The mechanization result of claim 18 is very different than MacMillan because his invention requires pressing 3 specific function keys to bring up 3 interactive search macros, the inputting of words into a search box such as by typing the words, pressing another specific function key to obtain a printout, and using a separate printer machine. Thus MacMillan has a significantly less mechanization result.

Ecology: Claim 18 has an ecology benefit because a plurality of pop up digital spaces does not require the printing of paper. Paper comes from organic matter, in most cases from trees, which is a limited and important natural resource. The ecology result of claim 18 is very different than MacMillan because his invention heavily depends on paper printouts, and this is a detrimental stress on the ecology.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Viewability: Claim 18 relates to eye use and presents more viewable images than MacMillan. Claim 18 produces a plurality of pop up digital spaces from a pop up digital space that are very easy to see. The viewability result of claim 18 is very different than MacMillan because his invention shows primary etymology on only one line of text for each word on a printout. Thus MacMillan has a less viewability result.

Market Size: Claim 18 likely has a larger market size than MacMillan because a plurality of pop up digital spaces of the claim is fast, easy to use, and presents rich information that is common to the everyday needs of the market. The market size result of claim 18 is very different than MacMillan. In fact MacMillan wrote, “However, the average person seldom consults the dictionary for etymological information.” Thus MacMillan concedes his invention of primary etymology is not popular, and thus likely has a small market size result.

Quality: Claim 18 produces a higher quality output than MacMillan because the claim produces a plurality of pop up digital spaces. These pop up digital spaces of claim 18 is of higher technological quality that presents richer information than MacMillan. The quality result of claim 18 is very different than MacMillan because his invention shows the primary etymology on only one line of text for each word on a printout. Thus MacMillan has a significantly less quality result.

Miscellaneous: The plurality of pop up digital spaces of claim 18 is very different than MacMillan and his interactive search macros. The pop up digital spaces of claim 18 is a result. Instead each interactive search macros of MacMillan is a step in a series of steps, and is not a result. MacMillan’s interactive search macros “window” is brought up for words to be inputted, so that the next steps can begin.

In addition although claim 18 twice recites pop up digital spaces that may be confusingly the same, both are separate functions. The first recited pop up digital spaces is the initial function. For example, the initial pop up digital spaces can show two or more such spaces at the same time after a word is selected. Next these initial pop up spaces can present a plurality of pop up spaces. For another example, an initial pop digital space for each word in a phrase appears at the same time after a phrase is selected. Next these initial pop up spaces can present a plurality of pop up spaces.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

For another example, the initial pop up digital spaces can show two or more such spaces at the same time after a phrase is selected. Next these initial pop up spaces can present a plurality of pop up spaces.

For another example, the initial pop up digital spaces can show two or more such spaces in a quick but time delayed sequence after a word or phrase is selected. Next these initial pop up spaces can present a plurality of pop up spaces.

These previous examples are but a few of the other possible examples. MacMillan does not show the two separate pop up digital spaces functions at all in his invention.

Long Life Cycle: The plurality of pop up digital spaces of claim 18 has a potentially long life cycle. The plurality of pop up digital spaces can be made and sold for many years. The long life cycle result of claim 18 is very different than MacMillan because his invention depends heavily on printouts, which requires a printer and a supply of paper. Thus MacMillan likely has a limited life cycle result.

Related Product Addability: Claim 18 likely will usher in new product lines because many related products can be added to a plurality of pop up digital spaces. For example, related pop up digital spaces presenting products and services can be added. For another example, related pop up digital spaces presenting informational announcements such as the weather or breaking news can be added. These are important advantages with potentially enhanced profits. The addability results of claim 18 are very different than MacMillan. MacMillan and his primary etymology on only one line of text for each word on a printout is so specific that it leaves little room to add related products, and thus likely has a limited related product addability result.

Profitability: Claim 18 likely will sell at a profit or at least at an acceptable price level because a plurality of pop up digital spaces per se is cheap to build. The profitability result of claim 18 is very different than MacMillan because the numerous steps and parts of his invention are more expensive to build. MacMillan also requires a printer and a supply of paper, and thus likely has a limited profitability result.

Compatibility: Claim 18 likely is compatible with existing patterns of use and customs in the computer field because a plurality of pop up digital spaces is a digital creation. The compatibility result of claim 18 is very different than MacMillan because his invention has

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

numerous steps and parts that are too specific. Thus MacMillan likely has a limited compatibility result.

Minimal Learning Required: The plurality of pop up digital spaces of claim 18 is easy to learn because it requires practically no effort. The minimal learning result of claim 18 is very different than MacMillan. MacMillan requires learning numerous steps and parts such as 3 specific function keys to bring up 3 interactive search macros, answering question prompts, dealing with redundancies, pressing another specific function key to printout, and the use of a printer among other steps. Thus MacMillan has a substantially more learning result.

Combination Products: Claim 18 is a combination product with the functions of pop up digital spaces and a plurality of pop up digital spaces that groove well together. The combination result of claim 18 is very different than MacMillan because his invention combines different functions such as the inputting of words into a search box and printouts.

High Sales Anticipated: Claim 18 can anticipate a high sales volume because a plurality of pop up digital spaces is extremely useful, relatively cheap, and easy to market. The high sales result of claim 18 is very different than MacMillan. As mentioned MacMillan wrote, "However, the average person seldom consults the dictionary for etymological information." Thus MacMillan concedes his invention of primary etymology is not popular, and thus likely has a limited or no high sales result.

Visibility of Invention in Final Product: Claim 18 is highly visible because a plurality of pop up digital spaces presents rich information that is easy to view. This will be a distinct marketing advantage to entice buyers. The visibility result of claim 18 is very different than MacMillan because his invention shows primary etymology on only one line of text for each word on a printout. Thus MacMillan has a significantly less visibility result.

Youth Market: Young people have substantial discretionary income and tend to spend more in many product areas than the rest of the population. Claim 18 will appeal to young people because computers are popular with this market. The plurality of pop up digital spaces of claim 18 is extremely useful because it is faster and easier to use than the printouts of MacMillan. The plurality of pop up digital spaces presents rich information that will likely target young people. Thus claim 18 may command more sales of the youth market than MacMillan and his slower

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

printouts of staid, static primary etymology. The large potential youth market result of claim 18 is very different than MacMillan because his invention likely has a small youth market result.

New Claim 18 Is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:

The reasons that new claim 18 is unobvious include those from new claim 11 discussed in the above heading “New Claim 11 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:”

The additional reasons that new claim 18 is unobvious are as follows:

Synergism: The results achieved by claim 18 of a plurality of pop up digital spaces are greater than the sum of the separate results of its parts. The separate parts of claim 18 are its novel method and the initial pop up digital spaces. Also the parts cooperate together with a plurality of pop up digital spaces to provide overall rich and multilayered information, a synergistic effect. The synergisms results of claim 18 are very different than MacMillan. MacMillan and his result of primary etymology on only one line of text for each word on a printout is puny, and far less than the sum of his numerous steps, parts, sequences, flowchart steps, elements, and especially the heavy dependence of a printer. Thus the synergisms of claim 18 produce disproportionately greater results than MacMillan and his puny results.

Different Combination: The combination in the novel method of claim 18 had not previously been created as of the applicant’s filing date. Claim 18 produces a combination of initial pop up digital spaces and a plurality of pop up digital spaces that MacMillan does not show. Instead MacMillan shows a very different combination, for example, of interactive search macros for inputting words and printouts. This combination of MacMillan is so far different from the plurality of pop up digital spaces of claim 18 that his invention must be regarded as different from that of the claim.

Unexpected Results: The results achieved by claim 18 are new, unexpected, superior, disproportionate, unsuggested, unusual, critical, and surprising because of a plurality of pop up digital spaces are presented in the novel method of the claim. MacMillan does not show a plurality of pop up digital spaces at all, much less initial pop up digital spaces. Instead

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

MacMillan provides the very specific primary etymology on only one line of text for each word on a printout.

Omission of Element: MacMillan describes the different elements of specific interactive search macros, a search box to input words, and the very specific sole dependence on a printout output. These elements of MacMillan are omitted in claim 18. The omission of these elements in claim 18 shows it is simpler yet more informative than MacMillan without loss of capability.

Poor Reference: MacMillan is a vague reference because he wrote, "it is, of course, obvious that a great deal of information will be lost and that many inaccuracies and ambiguities will be created." MacMillan is entirely foreign to claim 18 because he does not show a plurality of pop up digital spaces. MacMillan conflicts with claim 18 because his invention instead shows 3 different interactive search macros and a search box to input words. The reference of MacMillan is vague, entirely foreign to, and conflicts with claim 18 and therefore is weak and should be construed narrowly.

Misunderstood Reference: MacMillan does not teach what the O.A. relies upon it as supposedly teaching. MacMillan clearly does not teach any pop up digital spaces in the novel method of claim 18, much less a plurality of pop up digital spaces.

Contrarian Invention: A plurality of pop up digital spaces of claim 18 is contrary to the teachings of MacMillan. Claim 18 goes against the grain of what MacMillan teaches because a plurality of pop up digital spaces result of the claim is contrary to the printout result of his invention.

Strained Interpretation: The O.A. has made a strained interpretation of MacMillan that could be made only by hindsight. MacMillan clearly does not show any pop up digital spaces in the novel method of claim 18, much less a plurality of pop up digital spaces.

Solved Different Problem: Claim 18 solves a different problem than MacMillan, and such different problem is recited in the claim. Claim 18 solves the problem of producing a plurality of pop up digital spaces from the initial pop up digital spaces in a fast and convenient method. MacMillan solves the very different problem of providing primary etymology on only one line of text for each word on a printout.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

No Convincing Reasoning: The O.A. has not presented a convincing line of reasoning as to why the subject matter of claim 18 as a whole, including its differences over MacMillan, would have been obvious. MacMillan clearly does not show any pop up digital spaces in the novel method of claim 18, much less a plurality of pop up digital spaces.

Therefore the applicant submits that new claim 18 produces valuable new, unexpected, and different results and hence is unobvious and patentable over MacMillan under 35 U.S.C § 103, and solicits reconsideration.

Accordingly the applicant submits that new dependent claim 18 is a fortiori patentable and should also be allowed.

The New Dependent Claims 21 to 23 Are A Fortiori Patentable Over MacMillan

New dependent claims 21 to 23 incorporate all the subject matter of new claim 11 and add additional subject matter which makes them a fortiori and independently patentable over MacMillan.

The reasons that new claims 21 to 23 are novel over MacMillan include those from referred new claim 11 discussed in the above heading, "The Rejection of Claim 1, Now New Claim 11, On MacMillan Overcome Under § 102".

The new and unexpected results for new claims 21 to 23 include those from referred new claim 11 discussed in the above headings "New Claim 11 Produces New and Unexpected Results and Hence Is Unobvious and Patentable Over MacMillan Under § 103" and "New Claim 11 is Unobvious Over MacMillan Under § 103 for the Following Additional Reasons:".

New Claim 21 additionally recites "The method of Claim 11 further including various images presented in said pop up digital spaces are from a sources that includes professional works."

Claim 21 recites novel physical features that distinguish over MacMillan because his invention does not describe sources including professional works of the claim, much less various images. MacMillan does not describe the pop up digital spaces in the unique method of claim 21.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Claim 21 produces new and unexpected results of various images presented in pop up digital spaces from sources such as professional works. MacMillan does not show these results of claim 21.

The results of claim 21 are very different than MacMillan because his invention instead shows the primary etymology on only one line of text for each word on a printout. Thus claim 21 is unobvious over MacMillan.

New Claim 22 additionally recites “The method of Claim 11 further including the computer machine that evolved to present said dictionary elements for said word or phrase in said pop up digital spaces.”

Claim 22 recites novel physical features that distinguish over MacMillan because his invention does not describe a computer machine that evolved of the claim. Instead MacMillan wrote a static description of a computer, and describes it in very narrow and specific terms. MacMillan also does not describe the dictionary elements of claim 22, much less presented in pop up digital spaces.

Claim 22 produces new and unexpected results of an evolved computer machine to present dictionary elements for a word or phrase in pop up digital spaces. The evolved computer machine provides greater salability, market size, excitement, long life cycle, related product addability, and youth market results that are very different than MacMillan. MacMillan shows a static computer and does not show an evolved computer machine with changes such as in form, speed, and memory size. Thus claim 22 is unobvious over MacMillan.

New Claim 23 additionally recites “The method of Claim 11 further including said using said computer, said utilizing said text displayed on said computer screen, said having said cursor present on said computer screen, said dictionary elements, said word or phrase, said pop up digital spaces, said whereby said dictionary elements for said word or phrase are presented in said pop up digital spaces when said cursor is placed over said word or phrase in said text, said dictionary elements includes a definition presented in said pop up digital spaces, said pop up digital spaces presents various images that includes digital video when said cursor is placed over said word or phrase in said text, said pop up digital spaces are menu driven and utilize the drag

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

and selection methods of said cursor to select various choices in the menus, if said dictionary elements present more than one meaning of said word or phrase the intended contextual meaning of said word or phrase can be highlighted or otherwise distinguished, said dictionary elements presented in said pop up digital spaces that are from a sources that includes published works, said dictionary elements are to be used judiciously, said pop up digital spaces presents a plurality of said pop up digital spaces, a language used in said pop up digital spaces is different from the language used in said text, said language used in said pop up digital spaces and said language used in said text can be a multitude of languages, said various images presented in said pop up digital spaces that are from said sources that includes professional works, the computer machine that evolved to present said dictionary elements for said word or phrase in said pop up digital spaces.”

Claim 23 recites novel physical features that distinguish over MacMillan because his invention does not describe each of the many elements of the claim.

Claim 23 produces new and unexpected results because it presents dictionary elements such as definitions for a word or phrase and digital video in pop up digital spaces on a computer screen when a cursor is placed over the word or phrase in a text.

MacMillan does not show the definitions presented in pop up digital spaces of claim 23, much less the digital video results. The results of claim 23 are very different than MacMillan because his invention instead shows the primary etymology on only one line of text for each word in the just one specific English language point of view on a printout. Thus claim 23 is unobvious over MacMillan.

From the reasons discussed, the applicant submits that new claims 21, 22, and 23 are clearly not described and shown by MacMillan because of the facts that the claims (a) are novel under 35 U.S.C § 102, and (b) produces valuable new, unexpected, and different results and hence is unobvious and patentable over MacMillan under 35 U.S.C § 103. The applicant solicits reconsideration of claims 21, 22, and 23.

Accordingly the applicant submits that new dependent claims 21, 22, and 23 are a fortiori patentable and should also be allowed.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

No Combination of References

There is no improper combination of references because the O.A. cites the single reference of MacMillan.

Conditional Request for Constructive Assistance

The applicant has amended the claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, the applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 2173.02 and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Nonapplied References

The applicant has reviewed the cited but not applied references in the O.A. The 12 cited references are less relevant than the applied reference of MacMillan, and do not show the claims of the applicant or render them obvious.

Conclusion

For all the reasons given above, the applicant respectfully submits that the claims comply with § 112, the claims define over the prior art under § 102 because the dictionary elements of a word or phrase are presented in pop up digital spaces when a cursor is placed over the words in a text and;

the claimed distinctions are of patentable merit under § 103 because of the new and unexpected results produced of dictionary elements such as definitions, or various images such as digital video, are presented in pop up digital spaces when a cursor is placed over a word or phrase in a text.

Accordingly, the applicant submits that this application is now in full condition for allowance, which action the applicant respectfully solicits.

Lee DeGross Appn. Number 10/081,579 Exam. Group/Art Unit 2655 Amnt. A contd.

Very respectfully,



Lee DeGross

Enc: New sheet 11/11 of a drawing and a copy of sheet 11/11 marked in red to indicate the voluntary corrections to Fig. 11.

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2009 Dec. 29


